

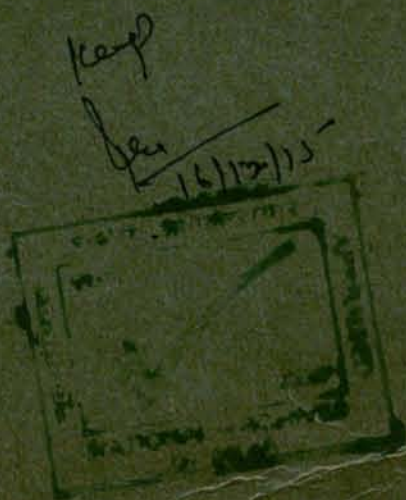
~~X~~
(12)

Misc. Papers on IMCI

(2)
Extracts from the Minutes of
the Meeting of Cabinet held on
9.5.06

Notes - 17 pages

Corresp - 131 pages



(26)

फाइल सं०

File No. I/12014/4/99-IS(D-III)

खण्ड

Volume

*Appointment of
Chairman, SMC.*

भारत सरकार

GOVERNMENT OF INDIA

गृह मंत्रालय

MINISTRY OF HOME AFFAIRS

अनुभाग

Section

टिप्पणियां/पत्राचार

NOTES/CORRESPONDENCE

को सूचीकृत की गई

Indexed on

अध्याक्षर

Initials

अभिलेख क/ख

Record A/B

अभिलेख ग में नष्ट गए

Record C Destroyed in

नोट किया जाए अनुभागीया नोट बुक
नोट न किया जाए

To be noted In Sectional Note Book

Not to be noted

अनु० अ०/अधीक्षक के हस्ताक्षर

Initials of S.O./Supdt.

लिपिक के हस्ताक्षर

Initials of Clerk

विषय

SUBJECT

*Terms and Conditions of appointment of
Mr. Justice M. K. Mukherjee retired
Judge of the Supreme Court of India on
his appointment as Chairman, Commission of
Inquiry to enquire into the disappearance of
Netaji Subhash Chandra Bose.*

पिछले हवाले

Previous References

बाद के हवाले

Later References

611

Ministry of Home Affairs
(IS-I Division)

* * * *

S.No. 1 (Issue)

Mr. Justice M.K. Mukherjee, retired Judge of the Supreme Court of India has been appointed to preside over the Commission of Inquiry pertaining to the disappearance of Netaji Subhas Chandra Bose. A Notification appointing the said Commission of Inquiry has already been issued on 14.5.1999. A copy thereof may please be seen at Slip 'A'.

2. Justice Mukherjee has been contacted on phone at Calcutta in connection with his appointment as Chairman of the said Inquiry Commission. He is, accordingly, coming to Delhi to meet SS(ISP) in connection with finalisation of the pay and other terms & conditions to be given to him on his appointment as Chairman of the said Inquiry Commission. He is, accordingly, coming to New Delhi today evening by flight No. IC 402 from Calcutta for discussion on terms and conditions of his appointment etc. For his said visit to Delhi, he has to be given refund of the charges incurred by him for his air ticket from Calcutta to New Delhi for today's evening flight and also to make arrangements for purchase of his return ticket (Executive Class) for his return journey from New Delhi to Calcutta tomorrow i.e. 18.5.99 by IC flight No. 264 leaving Delhi at 1830 hours. He has also to be given necessary DA as may be admissible in the case of retired Judges of Supreme Court of India for their re-employment in the Commissions/Committees appointed by the Government of India.

3. According to formal enquiries, the expenses for one way air ticket is Rs. 8,835/-. As such, we would require an amount of Rs. 17,670/- for air ticket both ways (Executive Class) and his DA entitlement at the rate of Rs. 260 per day i.e. Rs. 520 for two days stay in Delhi. He might also require reimbursement of his journeys by road. In this connection, it may be stated that we are trying to make arrangements for his stay in an AC room in Banga Bhavan and in case that arrangement is finalised, we would require to pay for his stay and meals etc. for this period of his stay in Delhi. We are also trying to make arrangements to provide him official transport for his stay in Delhi.

4. Since before his formal taking over as Chairman of the said Inquiry Commission, he would be entitled to TA/DA meant for non-official person invited to attend the official assignment, he might be paid TA/DA accordingly. However, since he is a retired Judge of the Supreme Court of India and he has asked for travel by air in Executive Class, this request may be agreed to.

5. Based on the above position, a draft Sanction for drawal of an amount of Rs. 20,000/- for payment of TA/DA has been attempted and is placed below which may kindly be routed through US(Cash) for indicating the availability of the funds as also the head of account of which these funds will be drawn.

Dir. (IS-I)

Most
urgent please

(V.P. BHATIA)
Under Secretary (D.IV)
17.5.99

US (Cash)

Travel Expenses.

Funds are available under 'Domestic

P.V. Wane
17/5/99

Notes on pre-page.

2. May kindly see and concur with the proposal contained therein.

Prashu
17.5.99
43 D 19

Do. fin V

|| We may accord an approval for withdrawal on advance of Rs 20,00/- for the purpose as projected by LS Division as proposed. The advance may be placed for the disposal of USC (costs) for its operation and would be settled as early as possible.

Prashu
17/5
Do. fin V

828/99-600
17/5

AFACU

Approved as proposed above.

Bhalla
17.3.99.
5

US (D. IV)

S. m. 2 (issue) - b. 2/c

A letter, as dictated to Resident Commissioner, Govt. of West Bengal, may issue at once.

- Sent Hgt MHA
Control Room
17/5

S. m. 3 (issue) - b. 3/c

Prashu
17.5.99

MHA/IS(D.III)

Justice M.K. Mukherjee during his meeting with SS(ISP) today at 11.30 A.M. for discussions in connection with the terms and conditions of his appointment as Chairman of the Commission of Inquiry to inquire into the disappearance of Netaji Subhas Chandra Bose inter-alia requested for provision of certain books and records to enable him to study the various aspects relevant to his inquiry. In this connection, he gave a list of books having a bearing on Netaji to be procured and made available to him. The list may please be seen at P. 4 /cor.

We may request MHA (Library) to purchase books at Sl.No. (1) to (4), (6) & (7) of the list for onward transmission to Justice Mukherjee at his Calcutta address from where he will be functioning, till a decision regarding Headquarter of the Commission is taken.

JS(IS-I) may kindly approve the above proposal before a note is sent to Library accordingly.

[Signature]
18/5/99
(V.P. BHATIA)
UNDER SECRETARY(D.IV)
18.5.99

DIRECTOR (IS-I)

[Signature]
18.5.99
Dir (IS-I)

[Signature]
18.5.99

[Signature]
Dir (IS-I)

[Signature]
19.5.99
Dir (IS-I)

Reference above note

A fair note to be sent to MHA (Librarian) as dictated. May issue at once.

[Signature]
19/5/99
(V.P. BHATIA)
UNDER SECRETARY(D.IV)

SO(D.III)

S. no. 5 (Issue)

Justice M.K. Mukherjee, Chairman, Commission of Inquiry to inquire into the disappearance of Netaji Subhas

v.s.m. 4 (p.4/c)

770/28(15 I)/99
19/5

3840/28(15 I)/99
19/5

ps/c

Chandra Bose met SS(ISP) in his room at 11.30 A.M. on 18.5.99 to discuss the terms and conditions of his appointment and other issues relevant to the functioning of the Commission. JS(IS-I), Director(IS-I) and myself were also present.

2. SS(ISP) traced the background leading to the appointment of this Third Commission of Inquiry. Besides resolution moved in the Lok Sabha by Shri Samar Guha, MP, in 1978 and the statement of Shri Morarji Desai, the then Prime Minister, to the effect that no useful purpose would be served by having any further inquiry, he also mentioned an Order passed by the High Court of Calcutta on a Writ Petition filed by Shri Rudra Jyoti Bhattacharjee, Advocate, High Court, Calcutta directing inter-alia the Union of India to launch a vigorous inquiry in accordance with law by appointing, if necessary, a Commission of Inquiry as a special case for the purpose of giving an end to the controversy. Reference was ^{also} made to a motion adopted by West Bengal Legislative Assembly and supported by State Government of West Bengal wherein a demand has been made for a fresh inquiry into the matter. He also mentioned about a meeting taken by Hon'ble Home Minister in which Colonel Dhillon, Shri Sisir Kumar Bose and others were present wherein a view emerged that Government should go ahead with the appointment of a fresh Commission of Inquiry to look into the aspects relating to disappearance of Netaji Subhas Chandra Bose.

3. As regards terms and conditions of his appointment, Justice Mukherjee pointed out that whatever is provided for in the rules, he would go by that and the same would be acceptable to him.

4. He asked for making available to him certain books having a bearing on Netaji Subhas Chandra Bose to enable him to study the background which is the subject matter of the inquiry entrusted to him. (This list includes a copy of Netaji Inquiry Report 1956 (already provided to him) and a copy of Writ Petition No. 281 of 1998. A copy of this Writ Petition will be made available to him in due course. As regards six books listed in this list, a note^x has separately been sent to the MHA Library for purchasing the said books for onward transmission to Justice Mukherjee at his Calcutta address.

p. 4/c
He gave a list
for the purpose.

x p. 5/c

5. Justice Mukherjee also desired that a public notice may be issued in the national as well as vernacular dailies inviting statements from individuals/ organisations/ institutions having a bearing on ^{the} mystery relating to disappearance of Netaji Subhas Chandra Bose accompanied by an affidavit and list of documents on which the said statement is proposed to be relied upon. He also desired that the period by which such statement(s) may be sent to the Commission may be prescribed as one month from the date of issue of such public notice.

6. About filling up of the post of the Secretary and accommodation for setting up of an office of the Commission at Calcutta, Justice Mukherjee indicated that he will have

a word with Chief Secretary, Govt. of West Bengal and then he will get in touch with JS(IS-I)/ Director(IS-I) for necessary follow up action in the matter.

The above position may kindly be seen for perusal/information.

RB Shaw
19.5.99
(V.P. BHATIA)
UNDER SECRETARY(D-IV)
19.5.99

Important

Director(IS-I)

Seen. JS (IS-I) / SS (IS-I) may like to see. Issue of Public notice is the first functional responsibility of the Commission and this is done after the Commission of Inquiry formally sets up its house and get going. Appointment of Secretary is normally a prelude to this exercise. As soon as the Public notice is issued the situation changes and the Commission starts receiving responses from various quarters. There has to be a minimum level of support base to the Commission to take care of this aspect. In the circumstances of this particular Commission it is apparent that the Commission will have to wait for a fortnight or so for posts sanction, infrastructure base and lining up of some key functionaries for the Commission. These are the normal teething like cases which always occur in such cases.

JS (IS-I)

JS (IS-I)
19.5.99
Dir (IS-I)

- Follow up action would be required on the following points:
- (i) Sanction to the creation of posts - The proposal is pending in the Ministry of Finance, Dept. of Expenditure.
 - (ii) Hiring of office accommodation, telephone connections etc for the office of the Commission, once Justice Mukherjee decides about the place i.e. Calcutta / Delhi.
 - (iii) Collection of a list of documents pertinent to the Inquiry from the relevant Ministries & Depts. of G.O.I &

385/Dir (IS-I)/99
19/5/99

779/JS (IS-I)/99
20/5

F-1598/SS/IS-I
20/5

the National Archives, SS(ISP) has already written to the concerned Secretaries.

Sangita Gaurola
20.5.99

~~SS(ISP)~~

20/5/99

~~JS (IS-2)~~

~~Dir (IS-1)~~

~~Sr. Bhatia, JS (D-IV)~~

21.5.

24-5-99
Dir (IS-2)

lm
24/5

To me

Reference notes from the bottom of page 3/ante onwards.

2. We had already issued a Notification on 14.5.99 regarding appointment of a Commission of Inquiry consisting of Mr. Justice M.K. Mukherjee, a retired Judge of Supreme Court of India to enquire into the disappearance of Netaji Subhas Chandra Bose in 1945. A copy of the Notification is at Slip 'A'.

3. Justice Mukherjee came to New Delhi and discussed the matters relating to his inquiry as also the terms and conditions of his appointment in a meeting with SS(ISP) at 11.30 A.M. on 18.5.99. During the course of discussions, he stated that whatever is provided for in the rules insofar as terms and conditions of his appointment are concerned, the same would be acceptable to him. In this connection, attention is invited to an O.M. dated 8.10.1987 issued by the Ministry of Finance, Deptt. of Expenditure, regarding revision of Guidelines in regard to the fixation of pay and other terms of retired Judges of the Supreme Court and High Courts on their appointment on Commissions/Committees of Enquiry (Slip 'B'). This O.M. touches upon all aspects relating to pay, Dearness Allowance, C.C.A., T.A./D.A., Transfer Allowance, Rent Free Accommodation, Medical facilities and all other related aspects. Based on these provisions, draft of terms and conditions of appointment of Mr. Justice M.K. Mukherjee has been attempted and the same is placed below for consideration and further reference for clearance/vetting by the Deptt. of Expenditure since the instructions referred to above were issued in 1987 and do not reflect the latest position with reference to the recommendations of the Fifth Pay Commission and consequent revision of all the aspects referred to in the said O.M.

4. Before this draft is referred to the Ministry of Finance, Deptt. of Expenditure, it would also be relevant to refer this draft to the Department of Justice since certain provisions relating to Official residence, Leave, Travelling Allowance & Leave Travel Concession, Medical facilities, Conveyance facilities etc. have to be governed by/under the Supreme Court Judges (Condition of Service) Act, 1958 (41 of 1958), Supreme Court Judges Rules, 1959 and the Supreme Court Judges (Travelling Allowance) Amendment Rules, 1959 etc.

Submitted

V.P. Bhatia
(V.P. BHATIA)
Under Secretary (D.IV)
25.5.99

Dir. (IS-I)

JS (IS-I)

Sanjita Gargola
25.5.99

~~JS (IS-I)~~

May like to see since this deals with the appointment of a retired Judge of the Supreme Court to a Commission of Inquiry.

J. S. (I-I)
25.5.99.

~~JS (JII)~~

M. G. S.
25.5.99

PL
26/5

V

J. S. (I-I)'s Office
Dy. No. 995
Date 25/5/99

1636/53(5II)/99

25/5

812/99-53(8)

26/5/99

Dept. of Justice
Jairamdas
Tph (IS/WR)

DEPARTMENT OF JUSTICE

Reference Ministry of Home Affairs notes from page 6/N.

2. The Ministry of Home Affairs proposes to allow the salary and allowances as available to a sitting Judge of the Supreme Court to Shri Justice M.K. Mukherjee, a retired Judge of the Supreme Court, who has been appointed as a Commission of Inquiry to enquire into the disappearance of Netaji Subash Chandra Bose.

3. If a Judge of the Supreme Court does not avail of official residence, he is entitled for HRA at the rate of Rs.10,000/- per month (Tax Free). Further, a Judge of Supreme Court does not get compensatory allowance, which is available only to a transferred High Court Judge. The proposed terms and conditions drafted by the Ministry of Home Affairs have been accordingly modified.

4. The Ministry of Home Affairs may be advised to settle the terms and conditions of appointment of Justice M.K. Mukherjee, as Commission of Inquiry, in consultation with the Department of Expenditure, which is nodal Department for this purpose. An office Memorandum dated 29.1.1998, issued by the Department of Personnel and Training in this regard is also placed at Flag 'C'.

5. Ministry of Home Affairs may please see.

P.N. Singh
(P.N. SINGH)
UNDER SECRETARY
26.5.1999

~~JS(J.H)~~

Further terms and conditions may be settled in consultation with the Deptt. of Expenditure per G.O./O.M dt. 29.1.98 enclosed herewith.

M. G. and
27/5/99

~~J.S.(ISD)~~

Important.

Kindly see for further action.

27.5.99

~~Dir (H-1)~~

In: Blotia - US (D-IV)

28.5.99
Dir (H-1)

Reference my note on pages 6-7/ante and the above note of the Deptt. of Justice.

2. The position, as projected in para 2 of the above note of Deptt. of Justice, is not factually correct

DFA

F/C

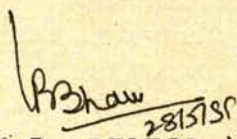
821/73 (IS-I)/99
27/5

4090/Dir (IS-I)/99
27/5

inasmuch as the terms and conditions of service proposed to be offered to Mr. Justice M.K. Mukherjee, a retired Judge of Supreme Court of India, on his appointment to head the Commission of Inquiry to enquire into the disappearance of Netaji Subhas Chandra Bose have been drafted keeping in view the provisions contained in the O.M. dated 8.10.1987 issued by the Ministry of Finance, Deptt. of Expenditure (Slip 'B'). That Department has, however, stated that an Office Memorandum dated 29.1.1998 has been issued by the Deptt. of Personnel & Training on the subject matter which may be kept in view while settling these terms and conditions in consultation with the Deptt. of Expenditure. The position, stated by Deptt. of Justice in para 3 of their note about official residence and entitlement of HRA etc., may also kindly be seen. The Deptt. of Justice has also modified the draft of the terms and conditions at ~~certain~~ places in pencil.

3. Department of Expenditure is requested kindly to see the position as projected in the notes on page 6/ante onwards and this note read with the instructions issued by them vide O.M. dated 8.10.1987 and the O.M. dated 29.1.98 issued by the Ministry of Personnel, Public Grievances & Pensions, Deptt. of Personnel & Training and vet the draft already on the file on the terms and conditions to be offered to Mr. Justice Mukherjee.

4. Since the subject matter is to be decided urgently, it would be appreciated if the file with the comments/views of the Deptt. of Expenditure is returned to this Ministry expeditiously.


(V.P. BHATIA)
Under Secretary (D.IV)
28.5.99

Department of Expenditure (Shri P.K. Sharma,
Under Secretary (E.IV)

10

Ministry of Finance
Deptt. of Expenditure
E.IV Branch

The reference made by the Deptt. of Justice Envisages fixing of terms & conditions in respect of Sh. Justice M.K. Mukherjee, a retired Judge of the Supreme Court who has been appointed to head the Commission of Inquiry to enquire into the disappearance of Netaji Subhash Chandra Bose. In this regard, the proposed pay and allowances as contained in the Ministry of Home Affairs' DFA on the basis of the pay and allowances being given to a serving Judge of the Supreme Court has been considered in the Ministry.

In this connection, it is stated that the issue of proposed DFA is agreed to subject to the revised pay being laid down in respect of DA etc.

This issues with the approval of JS(Per).

(P.K. Sharma)

Under Secretary to the Govt. of India.

FA (Home)

MOF (Expdr) UO Dy No. 53 /E.IV/99

dt.

Why are such cases being sent to the MOF directly by the IS-I Division, without the same being routed through the IFD as per the laid down procedure?

JS (IS-I) on leave Important

This has been discussed with JS (IS-I) Director (IS-I) kindly mention to FA (H) that it was not for clarification that our US (P.IV) had taken the initiative of getting in direct touch with his Counter part in the Dept of Expenditure and that also for verifying and otherwise at the initial stage and Secondary stage we have been going through IFD and FA (H) may now be requested to kindly see.

15.6.99
Dir (IS-I)

FA(H) may kindly see the noting of Dir(15-1) on pre-page. We had taken up the matter with the Dept of Justice & based on their advice, the file was, perhaps inadvertently, referred directly to Dept. of Expenditure, without routing it through IFD. All concerned have been sounded to follow the procedure in future. May pl. approve DFA

Langita Gavola
15.6.99

FA(H)

Reference notes from p 6/10

2. Pl examine + put up case quickly
If necessary DD (Fm II) may also be consulted.

Ray
15/6

15/6. DD (Fm V)
for Fm. B. pt.

MINISTRY OF HOME AFFAIRS
(FINANCE II SECTION)

Reference preceding notes.

2. This is regarding finalisation of terms and conditions of the re-employment of Shri Justice M.K. Mukherjee, Retired Judge of Supreme Court as Chairman of the Commission of Inquiry to enquire into the disappearance of Netaji Subhash Chandra Bose.
3. Proposal has already been seen by Department of Justice, vide their note at page 8/N, and Ministry of Finance, vide their note at page 10/N and concurred in.
4. All the terms and conditions mentioned in DFA seems to be in order. The pay of Rs.6700/- p.m. mentioned in para 2(a) of DFA being a pre-revised pay pertaining to the period prior to 1.1.96, it shall be appropriate, that the same is substituted by Rs.22,400/- p.m. Moreover, if the re-employed Judge is getting DA on his pay of Rs.30,000/- p.m., he shall not be entitled to relief on his pension during the period of his re-employment.

S. C. Saksena
(S.C. SAKSENA)
DESK OFFICER
16.6.1999

Pl. do the needful.
17.6.99

Ram
17/6

Pl. do the needful.

Sanjita Gargola
18.6.99

Dir (IS-I) Important

I have signed the fair order. *Sri Manoj Kumar*
asked to get him *isaid* and hand over
the file personally to *Sri Bhartiya, 45(A-10)*
when he comes.
Sri Manoj

X. S. Saksena
21.6.99
Dir (IS-I)

30/7/99-15
16/6/99

1629/DMC(29)
17/6

~~DFA(PERS)~~

~~FACH~~

~~JS (IS-I)~~

PR S.No. 10(CR) p. 12/cont

The Justice Mukherjee Commn. of Inquiry which is inquiring into the alleged disappearance of Netaji Subhas Chandra Bose is headed by Mr. Justice M.K. Mukherjee, a retired Judge of the Supreme Court of India.

p. 9-11/cont. 2. The terms and conditions of appointment of Justice Mukherjee were issued vide MHA's letter dated 27.6.1999. According to that letter the entitlement of pay and allowances of Mr. Justice Mukherjee is as under:—

- (i) Pay : Rs. 30,000/- p.m. fixed less Pension.
- (ii) D.A : As admissible to officers of All India Service getting pay of Rs. 22,400/- p.m.
- (iii) CCA : As admissible to serving Judges of Supreme Court / High Court at the Hqs. of the Commn.
- (iv) Residence : Rent-free furnished accommodation or HRA @ Rs. 10,000/- p.m.

In addition to the above, Jus. Mukherjee would also be entitled to Leave, LTC, TA, Medical facilities, Conveyance, etc. on par with the serving Judges of the Supreme Court.

3. Out of the Pay and Perks, etc., as shown in para 2 above, Jus. Mukherjee would be drawing only the following:—

- (i) Pay : Re. 1/- p.m. - w.e.f. 1.6.99
- (ii) D.A : NIL
- (iii) CCA : NIL

The other allowances and perquisites are to be drawn w.e.f. 1.6.99. Thus there will be considerable savings on account of Pay & allowances of Jus. Mukherjee.

from pre-page:-

4. This is just for inform. of JS(FS-I)
as also the IFD. MHA may pl. see.

Singh
18.4.2000
SO (JNCL)

US(D-IV), MHA

Prashant
18.4.2000

Director (FS-I)

May Please see.

JS(FS-I)

Prashant
19.4.2000
Dir (FS-I)

10032/Dir(FS-I)/2000
18/4

Dir (FS-I)
US(D-IV)

Prashant
20.4.
21.4.2000

534/JS(FS-I)/2000
20/4

M. show it to IFD also
21/4

Finance - II Desks may pl. see notes from
pre-page for inform. They may also like to
show it to Fin. I Desks for their inform.
as well.

US(D-IV), MHA

Prashant
24.4.2000

Singh
24.4.2000

Finance II Desks
24/4

1126/2000 Fin II
24/4

1126/OFAC/2000
24/4

Dir (Fin) may pl. see before file is sent
to Dir (Finam).

Prashant
27.4.2000

Dir (Fin - Home)

US(D-IV)

Dir (FS-I)

Prashant
24.4.2000

JS(FS-I)

Prashant
24.4.2000

1126/OFAC/2000
24/4/2000
11/76
28/4
SRS

Secy, JMC1, has asked for a copy of the Supreme Court Judges Rules, 1959 to enable them to process the medical bills of the Hon'ble Chairman.

2. I have procured a computer print-out of the above said rules from the Secy of Justice. The latest amendments, etc., have been incorporated in this print out. We may send a copy of the same to the Commn. as per fair letter which may pl. be signed.

USC(D-10)

Prashant
24.5.2000

Singli
24.5.2000

Ministry of Home Affairs
IS(D.V)

.....

FR may kindly be seen.

Is he entitled to this?

Sd/-
JS(IS)
2/12

Is he entitled ?
Please confirm.

Sd/-
Dir(IS-II)
3/12

Reference JS(IS)' / Director(IS-II)'s queries regarding entitlement of Earned Leave and LTC claim by the Chairman of the Commission, it is confirmed that as per terms and conditions of appointment of Justice Mukherjee, he is entitled to Earned leave, LTC, TA, Medical Facilities, Conveyance etc. at par with the serving judges of the Supreme Court vide this Ministry's order dated 21/6/1999 pages 9-10/cor.

Submitted for information.

Dir(IS-II)
12/12

M. S. Zuhra
12/12/02
(M.S. ZUHA)
DESK OFFICER

M. S. Zuhra
12/12

JS (IS)
12/12

12/12

M. S. Zuhra
13/12

DD (M. S. Zuhra)

1828/Dir(IS-II) a
12/12

1682/JS (IS) 12
12/12

M N
13/12

Ministry of Home Affairs
NCB Section

.....

FR may kindly be seen.

Justice M.K. Mukherjee has availed EL for 8 days from 7.10.03 to 14.10.03 and he has also availed Leave Travel concession for himself and his wife from Kolkatta to Mumbai. He is entitled to Earned leave and LTC facilities at par with the serving judges of the Supreme Court vide this Ministry's order dated 21/6/1999 pages 9-10/cor.

Submitted for information.

DIRECTOR(S)

(M.S. ZUHA)
DESK OFFICER

2808/DIC/2003
31/10

No. 2629 /JS (Security)/03
31/10 2003

M. Sethi

JS

Dir(S.)

Asst. Secy. (Admin.)

Mukherjee
31/10

Mukherjee
21/10

Rall
31.10.2003.

①

No. I/12014/4/99-IS(D.III)
GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF HOME AFFAIRS/GRIH MANTRALAYA

* * * * *

New Delhi, the

To

The Pay & Accounts Officer,
Ministry of Home Affairs,
New Delhi.

Subject : Terms and conditions of service of Mr. Justice
Retired Judge of the Supreme Court of India M.K. Mukherjee, on his appointment to head the Commission of Inquiry to enquire into the disappearance of Netaji Subhas Chandra Bose.

* * * * *

Sir,

I am directed to convey the Sanction of the President to the following terms and conditions of appointment of Mr. Justice M.K. Mukherjee, a retired Judge of Supreme Court of India, who has been appointed to head the Commission of Inquiry set up to enquire into the aspects relating to disappearance of Netaji Subhas Chandra Bose in 1945, with effect from the forenoon of 14th May, 1999, till the Commission ceases to exist:

1. Pay : Fixed salary of Rs. 30,000/- per month less pension.

2. Allowances :

(a) Dearness Allowance : As payable to officers of All India Services getting pay of [Rs. 6700/-] p.m. and above either from the date from which it was admissible to sitting Judges or from the date on which they are appointed to the Commissions/Committees of Inquiry, whichever is later.

(b) Compensatory (City) Allowance : As would be admissible to the Serving Judges of Supreme Court/High Courts at the Headquarters station of the Commission/Committee.

(c) Compensatory Allowance : At the rate of Rs. p.m. as sanctioned by the Ministry of Law & Justice (Department of Justice) vide Notification No. dated]

3. Official Residence : Rent-free furnished accommodation as admissible to the serving Judges of the Supreme Court of India under the Supreme Court Judges (Conditions of Service) Act, 1958 (41 of 1958) and the Supreme Court Judges Rules, 1959 as amended from time to time or House Rent Allowance at the rate of 30% of pay in lieu thereof. Rs. 10,000/- per month.

4. Leave : As admissible to the serving Judges of the Supreme Court of India under the Supreme Court Judges (Conditions of Service) Act, 1958 (41 of 1958), and the Supreme Court Judges Rules, 1959, as amended from time to time.
5. Travelling Allowance & Leave Travel Concession : As admissible to the serving Judges of the Supreme Court of India under the Supreme Court Judges (Travelling Allowance) Amendment Rules, 1959 as amended from time to time including the benefit of Transfer T.A. as admissible under the Rules from Home Town to Headquarters for joining the Commission and from Headquarters to Home Town on relinquishing the charge of the Commission.
6. Medical Facilities : As admissible to the serving Judges of the Supreme Court of India under the Supreme Court Judges Rules, 1959, namely, as applicable to a Union Cabinet Minister.
7. Conveyance Facilities : As admissible to the serving Judges of the Supreme Court of India at the time of re-employment.
8. Other Conditions and Benefits : All other conditions and benefits applicable to a retired Judge of the Supreme Court of India.

This issues with the concurrence of the Ministry of Finance, Department of Expenditure, vide their U.O. Dy.No. 530/E-IV/99 dated 11.6.99, and vide the Integrated Finance Division U.O. Dy.No. 3017/99-Fin-II dated 16.6.99 and Dept. of Justice vide their U.O. Dy.No. 1636/JS-IV/99 dated 25.5.99.

(A.K. PAITANDY)
DIRECTOR (IS-I)

Copy to :

1. Mr. Justice M.K. Mukherjee, Chairman, Netaji Commission of Inquiry, GD 359, Sector III, Salt Lake City, Calcutta-700 019.
2. Finance-II Desk, MHA, with reference to their U.O.No. 3017/99 dated 16.6.99.
Fin. II
3. Ministry of Finance, E.IV Section, with reference to their U.O. No. 530/E-IV/99 dated 11.6.99
4. Ministry of Law & Justice, Dept. of Justice, Jai Prakash House, New Delhi.

(A.K. PAITANDY)
DIRECTOR (IS-I)

B.No. 9. ~~200~~ - 3

(3)

No. I/12014/4/99-IS(D.III)
GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF HOME AFFAIRS/GRIH MANTRALAYA

* * * * *

New Delhi, the 27 June, 1999.

To

The Pay & Accounts Officer,
Ministry of Home Affairs,
New Delhi.

Subject : Terms and conditions of service of Mr. Justice M.K. Mukherjee, retired Judge of the Supreme Court of India, on his appointment to head the Commission of Inquiry to enquire into the disappearance of Netaji Subhas Chandra Bose.

* * * * *

Sir,

I am directed to convey the Sanction of the President to the following terms and conditions of appointment of Mr. Justice M.K. Mukherjee, a retired Judge of Supreme Court of India, who has been appointed to head the Commission of Inquiry set up to enquire into the aspects relating to disappearance of Netaji Subhas Chandra Bose in 1945, with effect from the forenoon of 14th May, 1999, till the Commission ceases to exist :

1. Pay : Fixed salary of Rs. 30,000/- per month less pension.
2. Allowances :
 - (a) Dearness Allowance : As payable to officers of All India Services getting pay of Rs.22,400/- p.m. and above either from the date from which it was admissible to sitting Judges or from the date on which he was appointed to the Commission whichever is later.
 - (b) Compensatory (City) Allowance : As would be admissible to the Serving Judges of Supreme Court/High Courts at the Headquarters station of the Commission/Committee.

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3. Official Residence : Rent-free furnished accommodation as admissible to the serving Judges of the Supreme Court of India under the Supreme Court Judges (Conditions of Service) Act, 1958 (41 of 1958) and the Supreme Court Judges Rules, 1959 as amended from time to time or House Rent Allowance at the rate of Rs. 10,000/- per month.
 4. Leave : As admissible to the serving Judges of the Supreme Court of India under the Supreme Court Judges (Conditions of Service) Act, 1958 (41 of 1958).
 5. Travelling Allowance & Leave Travel Concession : As admissible to the serving Judges of the Supreme Court of India under the Supreme Court Judges (Travelling Allowance) Rules, 1959 as amended from time to time including the benefit of Transfer T.A. as admissible under the Rules from Home Town to Headquarters for joining the Commission and from Headquarters to Home Town on relinquishing the charge of the Commission.
 6. Medical Facilities : As admissible to the serving Judges of the Supreme Court of India under the Supreme Court Judges Rules, 1959.
 7. Conveyance Facilities : As admissible to the serving Judges of the Supreme Court of India at the time of re-employment.
 8. Other Conditions and Benefits : All other conditions and benefits applicable to a sitting Judge of the Supreme Court of India.

This issues with the concurrence of the Ministry of Finance, Department of Expenditure, vide their U.O. Dy. No. 530/E.IV/99 dated 11.6.1999 vide the Integrated Finance Division U.O. Dy.No. 3017/99-Fin.II dated 16.6.1999 and Department of Justice vide their U.O. Dy.No. 1636/JS(J.II)/99 dated 25.5.1999.

Yours faithfully,

21.6.99
(A.K. PAITANDY)
DIRECTOR (IS-I)

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21 JUN 1999

Copy to :

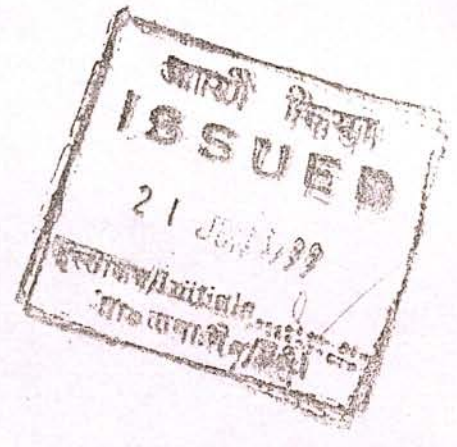
1. Mr. Justice M.K. Mukherjee, Chairman, Netaji Commission of Inquiry, GD 359, Sector III, Salt Lake City, Calcutta - 700 019.
2. Finance-II Desk, MHA, with reference to their U.O. No.3017/99-Fin.II dated 16.6.1999.
3. Ministry of Finance, E.IV Section, with reference to their U.O. No. 530/E.IV/99 dated 11.6.1999.
4. Ministry of Law & Justice, Department of Justice, Jaisalmer House, New Delhi,

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21.6.99
(A.K. PAITANDY)
DIRECTOR (IS-I)

NR/Please issue at once
91.6.99



NO. 3/6/97-Estt. (PAY II)

MINISTRY OF PERSONNEL PUBLIC GRIEVANCES AND PENSIONS
DEPARTMENT OF PERSONNEL & TRAINING

New Delhi, the 29th January, 1998

OFFICE MEMORANDUM

Subject - Perquisites and some important terms and conditions for the Chairperson and Members of the Regulatory Authorities and allied matters - Policy regarding -

As the Ministries/ Departments are aware, during the last few years a number of Regulatory Authorities have been set up and some more are proposed to be set up as a part of Government's efforts to restructure the administrative machinery consistent with the ongoing economic reforms and emphasis on a more effective and result - oriented administrative structure. In this context, the question of laying down uniform terms and conditions of appointment and perquisites in respect of the Chairperson and the Members of various Regulatory Authorities was under the consideration of the Government for sometime past and it has now been decided to prescribe uniform guidelines as annexed to this Office Memorandum.

2. These guidelines will be applicable to Regulatory Authorities where the appointments have not been announced so far, where there are constitutional or statutory obligations to prescribe terms and conditions different from those being specified in these guidelines or where terms and conditions have already been offered to a Chairperson and/or Member(s). In cases where a retired Judge of the Supreme Court or of the High Court has already been appointed as Chairperson or Member, the provisions of UM No. 19048/7/80-E.IV dated the October 8, 1987 of the Department of Expenditure would be applicable.

3. It is, however, clarified that unless there is a constitutional or statutory obligation to the contrary, a Chairperson or Member appointed to the existing Regulatory Authorities subsequent to issue of these guidelines would be governed by the guidelines being now prescribed.

Dr M.P. Singh
Addl Secy
Dept of Justice

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4. While offering appointment to any new incumbent as Chairperson or Member, the terms and conditions of appointment being prescribed hereby should clearly be indicated in the letter of offer and the written consent of the appointee obtained before the letter of appointment is issued or before assumption of charge by the incumbent.

5. The Chairperson and Member(s) shall be deemed to have retired from Govt. Service upon taking up their respective appointments in the Regulatory Authority.

6. The above-mentioned Office Memorandum dated Oct.8, 1987 is being separately amended by the Department of Expenditure in the light of these guidelines.

7. The Ministries of Agriculture & Cooperation etc. are advised to keep these guidelines in view while framing the statutory rules and executive instructions or while sending draft terms and conditions for such appointments for the consideration of this Department and the Ministry of Finance.

8. Hindi version will follow.

(HARINDER SINGH)

JOINT SECRETARY TO THE GOVT. OF INDIA

To

All Ministries/Department of the Government of India. (As per standard list)

No.3/6/97-Estt.(Pay II) Dated the 27th Jan.1998

Copies also forwarded to:

1. The Comptroller & Auditor General of India and all States under his control.

2. Registrar General, Supreme Court of India.

3. Secretaries to Union Public Service Commission/ Election Commission/Lok Sabha Secretariat/Rajya Sabha Secretariat/Cabinet Secretariat/Central vigilance Commission / President's Secretariat / Vice President's Secretariat/Prime Minister's Office/Planning

Commission.

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4. Controller General of Accounts/Controller of Accounts, Ministry of Finance.

5. Department of Personnel & Training (AIS Division)/JCA/Admn. Section.

6. Additional Secretary (Home), Ministry of Home Affairs.

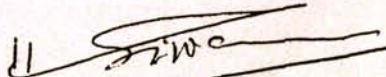
7. Joint Secretary (Union Territories), Ministry of Home Affairs.

8. Secretary, National Council (Staff Side), 13-C, Feroz Shah Road, New Delhi.

9. All Officers/Sections of the Department of Personnel & Training/Department of Administrative Reforms & Public Grievances/Department of Pension & Pensioner's Welfare.

10. Joint Secretary (Per.) Ministry of Finance, Department of Expenditure.

11. 300 Spare sets.



(U.S. TIWARI)

Under Secretary to the Govt. of India

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~~SECRET~~

ANNEXURE TO OM No. 3/6/97-Estt.(PAY II)
Dated January 29, 1998.

PERQUISITES AND SOME IMPORTANT TERMS AND
CONDITIONS FOR THE CHAIRPERSON AND MEMBERS OF
THE REGULATORY AUTHORITIES - POLICY REGARDING

(a) TENURE : The term of appointment of the Chairperson and Members would be a uniform period of five years or till the age of 65 years (in the case of Chairperson) or 62 years (in the case of Members), whichever is earlier.

(b) ELIGIBILITY FOR REEMPLOYMENT : A Member would be eligible for appointment as Chairperson of the same Authority but no Chairperson or Member would be eligible for reemployment under the Central Government or any body/ authority substantially financed by the Central Government unless he has cooled off for a period of two years. Similarly, for two years no Chairperson or Member would be eligible to take up private employment after demitting office, without the permission of the Government in the organisations that fell within the operational jurisdiction of the concerned Regulatory Authority.

(c) PAY : The Chairperson would be eligible for pay not exceeding Rs. 26000/- p.m. (fixed) and Members would be eligible for pay scale not exceeding Rs. 22400 - 525 - 24500. The pay will be fixed in accordance with the prevailing orders i.e. pay minus pension.

(d) GPF/CPF, PENSION AND GRATUITY : The Chairperson and Members would be governed by Contributory Provident Fund Rules and no option to subscribe under GPF Rules will be available. Additional pension and gratuity will not be admissible for service rendered in the Regulatory Authority.

(e) DA & CCA : The Chairperson and Members shall be entitled to Dearness Allowance and City Compensatory Allowance at the rate admissible to officers of equivalent pay in the Government.

(f) LTC, TA & DA : Travelling Allowance and Daily Allowance on tour shall be paid to the Chairperson and Members as applicable to Government Servants drawing that basic pay. They would also be entitled to facility of temporary Government accommodation in Guest Houses/Inspection Bungalows under the control of the Central Government, wherever applicable, on payment of normal rent at out-stations, of the class to which Government Servants of equivalent

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pay are eligible.

(g) VISITS ABROAD : Official visits abroad by the Chairperson and any Member would be undertaken only in accordance with the Government orders as applicable to officers of equal grade in Government of India. In regard to official delegations abroad in which both the administrative Secretary and the Chairperson or Member of the Regulatory Authority are included, the Secretary would lead the delegation. For domestic tours the Chairperson would keep the Secretary of the administrative Ministry/Department informed.

(h) ACCOMMODATION: The Chairperson and Members of a Regulatory Authority located in Delhi or in one of its satellite towns would be given the option of claiming House Rent Allowance @ 30% of the basic pay drawn if they stay at Delhi but no house would be hired by the Authority or allotted by the Government. Outside Delhi, Members and the Chairperson would be entitled to rented unfurnished accommodation with built-up area measuring around 300 sqm. for Members and 350 sqm. for the Chairperson with suitable open land area appurtenant as permissible under the regulations of the concerned municipal bodies. The same facility would be extended to retired Judges of the Supreme Court and High Court as well, instead of the present facility (rent free accommodation or 12-1/2% HRA).

(i) SUMPTUARY ALLOWANCE : The Chairperson and Members would not be entitled to Sumptuary Allowance (which is admissible only to serving Supreme Court and High Court Judges)

(j) MEDICAL FACILITIES : The Chairperson and Members shall be entitled to Medical treatment and Hospital facilities as provided in the Central Government Health Service Scheme for retired Govt. Servants. At places where the CGHS Scheme is not in operation Chairpersons and Members who are not Govt. Servants shall be entitled to the facilities as provided in the Central Service (Medical Attendance) Rules.

(k) TRANSPORT : No Regulatory Authority shall purchase any passenger vehicle. Instead, a Chairperson and Member would be eligible for fixed reimbursement between Rs. 3000/- and Rs. 5000/- p.m. as laid down by DoPT from time to time for the use and maintenance of his personal car for transportation between residence and office. This would include the salary of a driver who would not be a Govt. servant.

(l) STATUS : No Chairperson and Member would be accorded Ministerial status and the previous status of the appointee shall not be treated as a precedent for determining the status accorded to the Chairperson /Member. In exceptionally meritorious cases, the Ministry of Home Affairs would be consulted, along with full

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justification, which would approach the Standing Committee of Secretaries, wherever necessary, as laid down in Cabinet Sectt. instructions No. 99/1/5/95-Cab. dated November 16, 1996.

(m) LEAVE : A Chairperson or Member would be entitled to 30 days of Earned Leave for every year of Service. The payment of leave salary during leave shall be governed by Rule 40 of CCS (Leave) Rules, 1972. A person would be entitled to encashment of 50% of Earned Leave to his credit at any time.

(n) ADMINISTRATIVE & OTHER RESIDUARY MATTERS: Administrative matters relating to the operations of a Regulatory Authority or the conditions of service of the Chairperson and a Member, with respect to which no express provision has been made in these instructions, shall be referred in each case to the Central Government for its decision and the decision of the Central Government thereon shall be binding on the Regulatory Authority.

GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

NOTIFICATION

New Delhi, the 14.5.99

S.O. 339(E)- Whereas the Shah Nawaz Khan Committee and the Khosla Commission of Inquiry appointed by the Government of India in April, 1956 and July, 1970 respectively to inquire into and to report to the Government of India on the circumstances concerning the departure of Netaji Subhas Chandra Bose from Bangkok about the 16th August, 1945, his reported death as a result of an air craft accident, and subsequent developments connected therewith had come to the conclusion that Netaji Subhas Chandra Bose met his death in an air crash;

And, whereas there is a wide spread feeling among the public that the issue of finding the truth about Netaji's death still remains;

And, whereas there has been a consistent demand for a further inquiry into the matter;

And, whereas the Calcutta High Court also directed the Government of India for a vigorous inquiry in accordance with Law, if necessary, by appointing a Commission of Inquiry for the purpose of giving an end to this controversy;

And, whereas a Motion was adopted on 24.12.1998 by the West Bengal Legislative Assembly wherein a demand has been made for a fresh inquiry into the matter to remove the mystery regarding the whereabouts of Netaji Subhas Chandra Bose;

And whereas the Central Government is of the opinion that it is necessary to appoint a Commission of Inquiry for the purpose of making an indepth inquiry into a definite matter of a public importance, namely, the disappearance of Netaji Subhas Chandra Bose in 1945;

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (2) of section 3 of the Commissions of Inquiry Act, 1952(60 of 1952), the Central Government hereby appoints a Commission of Inquiry consisting of Mr. Justice M.K. Mukherjee, a retired Judge of the Supreme Court of India.

2. The Commission shall inquire into all the facts and circumstances related to the disappearance of Netaji Subhas Chandra Bose in 1945 and subsequent developments connected therewith including:-

- (a) whether Netaji Subhas Chandra Bose is dead or alive;
- (b) if he is dead, whether he died in the plane crash,

- 13
- as alleged;
- (c) whether the ashes in the Japanese temple are ashes of Netaji;
 - (d) whether he has died in any other manner at any other place and, if so, when and how;
 - (e) if he is alive, in respect of his whereabouts.

3. The Commission shall also examine the manner in which the exercise of Scrutiny of Publications touching upon the question of death or otherwise of Netaji can be undertaken by the Central Government in the circumstances.

4. The Commission shall submit its report to the Central Government as soon as possible but not later than six months from the date of publication of this notification.

5. The headquarters of the Commission shall be at New Delhi, and/or any other place as determined by the Commission.

6. The Central Government is of the opinion that, having regard to the nature of the inquiry to be made and other circumstances of the case, all the provisions of sub-section(2), sub-section(3), sub-section(4) and sub-section(5) of section 5 of the Commissions of Inquiry Act, 1952 (60 of 1952) should be made applicable to the said Commission and the Central Government in exercise of the powers conferred by sub-section(1) of the said section 5, hereby directs that all the provisions of the said sub-sections (2) to (5) of that section shall apply to the Commission.

Re
14 May 99
(NIKHIL KUMAR)
SPECIAL SECRETARY (ISF)

(F.No. VI/11034/18/98-IS(D.III))

-14-
~~SECRET~~

No. 19048/1/80-E.IV
Government of India
Ministry of Finance
Department of Expenditure

New Delhi, the 8th October, 1987.

OFFICE MEMORANDUM

Subject:- Revision of Guidelines in regard to the fixation of pay and other terms of retired Judges of the Supreme Court and High Courts on their appointment on Commissions/Committees of Enquiry.

The undersigned is directed to say that the question of revision of guidelines in regard to fixation of pay and other terms of retired Judges of Supreme Court and High Courts, on their appointment on Commission/Committee of Enquiry set up by the Government of India, has been under consideration of the Government for quite some time. It has since been decided that in supersession of the instructions contained in this Ministry's Office Memorandum S(28)-F.III(B)/68 dated 12th August, 1970, as amended from time to time, the terms and conditions of re-employed Supreme Court/High Court Judges may be regulated as follows:-

A. Retired Judges re-employed on whole-time basis

Pay, which together with pension and pension equivalent or benefits of retirement benefits, may be restricted to Rs. 8,000/- per month in case of retired High Court Judges and Rs. 9,000/- per month in the case of retired Chief Justices of High Courts/Judges of Supreme Court w.e.f. 1.4.1986.

) Dearness Allowance as payable to officers of All India Services getting pay of Rs. 6700/- p.m. and above either from the scale from which it was admissible to sitting Judges or from the scale on which they are appointed to Commissions/Committees of Enquiry, whichever is later.

i) Compensatory (City) Allowance as would be admissible to serving Judges of Supreme Court and High Courts, at the place of residence of the Committee/Commission.

) Travelling Allowance and Daily Allowance may be paid according to their entitlement on the rates at the time of their employment. They will also be entitled to facility of temporary accommodation in Guest Houses/Institution Buildings run by the Central Government, wherever available, on payment of normal rates at out-stations, of the class to which Government servants of the highest class are eligible.

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- (v) Transfer T.A. as admissible to a Government servant of the highest grade from Home Town to Headquarters for joining the Commission/Committee and from Headquarters to Home Town at the end of assignment.
- (vi) Rent free furnished accommodation or house rent allowance at 12% of pay in lieu thereof.
- (vii) Medical facilities of CGHS may be made available. Where CGHS is not available they may be entitled to medical facilities as available to Cabinet Ministers.
- (viii) Leave as admissible to other re-employed pensioners under C.C.S. (leave) Rules, 1972.
- (ix) L.T.C. for self and family as admissible to re-employed pensioners and the entitlement will be that of the highest grade in Central Government.
- (x) Conveyance facilities may be made available as admissible to the serving Judges at the time of their re-employment.

B. Retired Judges re-employed on part-time basis etc.

If the quantum of work does not justify whole-time employment or in cases where a re-employed Judge wishes to make his headquarters the place, where he has taken up residence after retirement instead of the headquarters of the Commission/Committee, there should be no whole-time appointment and accordingly no salary would be admissible. In cases of such part-time employment, the re-employed Judges will be eligible to get travelling allowance and facility of temporary Government accommodation while on tour in connection with the Commission/Committee, as admissible under A (iv) above and daily allowance at the following rates:-

- (a) Retired Chief Justice of India Rs. 140/- per day
- (b) Retired Chief Justice of High Court or retired Judge of Supreme Court Rs. 100/- per day
- (c) Retired Judge of High Court Rs. 90/- per day

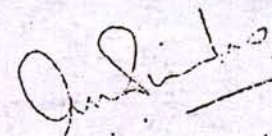
This daily allowance will be admissible only for the actual days spent on the Commission's/Committee's work, and no other concession by way of board/lodging or transport will be admissible. If the place of normal residence happens to be the

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at the headquarters of the Commission/Committee and no salary
and a 'per diem' honorarium equal to the above rates, may be
all.

Ministries may decide future and pending cases in light
of these orders but cases already finalised will not be reopened.



(A.N. SINHA)
DIRECTOR (EG)
TELE. 3011819

All the Ministries/Departments of the Government of India
etc. etc.

J.K.

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MOST IMMEDIATE

MINISTRY OF HOME AFFAIRS
(IS.I DIVISION)

.....

Mr. Justice M.K.Mukherjee (Retired Judge of Supreme Court) has been appointed to preside over the Commission of Inquiry on the alleged disappearance of Netaji Subhas Chandra Bose. He is coming to New Delhi today evening by flight No.IC 402 from Calcutta for discussion on terms and conditions of his appointment etc. Administration Division is requested to kindly extend help on the following immediately:-

- (i) Reimbursement of the cost of Indian Air Lines flight ticket from Calcutta to New Delhi on 17.5.99.
- (ii) Purchase of his return air ticket (Executive Class) for his return journey from New Delhi to Calcutta tomorrow i.e. 18.5.99 by IC flight No.264 (departure time 18.30 PM).
- (iii) Allow necessary TA/DA admissible in his case.
- (iv) Sending a good condition vehicle alongwith the Protocol Officer of MHA to bring Justice Mukherjee from Airport today evening and also take him to Banga Bhawan on Hailey Road. The vehicle will be placed on the disposal of Justice M.K.Mukherjee till his return. Justice Mukherjee is also to be brought to MHA for meetings etc. with HM/HS/SS(ISP) today as well as tomorrow.
- (v) Arrangements for payment relating to Shri Mukherjee's stay/accommodation in West Bengal Bhawan for today as well as tomorrow.
- (vi) Taking Justice Mukherjee back to Airport again by an MHA official vehicle tomorrow. Shri Mukherjee is to leave for Calcutta by IC flight No. 264 on 18.5.99.

2. JS(A) is requested to kindly issue administrative sanction/orders for the mentioned arrangements. This issues with the approval of Special Secretary(ISP)/JS(IS.I).

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(A.K.Paitandy)
Director (IS.I)
17.5.99

JS(A)

Most urgent

Copy to Sri Bhattacharya, US(D-IV)

Kindly coordinate on the lines discussed today morning with you.

Sri Bhattacharya, US(D-IV)

17.5.99
Dir (IS.I)

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No. I/12014/4/99-IS(D.III)
GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

* * * *

New Delhi, the 17th May, 1999.

O R D E R

Subject : TA/DA in connection with the visit of Mr. Justice M.K. Mukherjee who has been appointed as Chairman of the Commission of Inquiry pertaining to the disappearance of Netaji Subhas Chandra Bose - Discussions on finalisation of pay and other terms to be offered to him on his appointment on the said Commission.

* * * *

Sanction of the President is hereby accorded to the drawal of an advance of Rs. 20,000/- (Rupees Twenty Thousand only) for making payment of TA/DA to Mr. Justice M.K. Mukherjee (Retired Judge of the Supreme Court of India) in connection with the visit to Delhi as detailed in the subject noted above.

2. The expenditure is debitable to 2052-Sectt. - General Services (Major Head) - 00.990 Secretariat (Minor Head) - 03 - Ministry of Home Affairs - 03.00.11 - Domestic Travel Expenses, Grant No. 42 Ministry of Home Affairs for the year 1999-2000.

3. The advance may be placed at the disposal of US(Cash).

4. This issues with the concurrence of the Integrated Home Finance vide their Dy.No.827/98-Fin dated 17.5.1998

(V.P. BHATIA)
UNDER SECRETARY (D.IV)

No. I/12014/4/99-IS(D.III) New Delhi, the 17th May, 1999.

Copy forwarded to :-

1. Pay & Accounts Office(Sectt.), Ministry of Home Affairs, New Delhi.
2. US(Cash), Ministry of Home Affairs, New Delhi.
3. Cash-I Section (with two spare copies) with the request that the advance may kindly be drawn immediately for making payment to Mr. Justice M.K. Mukherjee.
4. Cash-II Section.
5. Fin-V Desk, Ministry of Home Affairs, New Delhi.

(V.P. BHATIA)
UNDER SECRETARY (D.IV)

No. I/12014/4/99-IS(D.III)

To

The resident Commissioner,
Govt. of West Bengal - Kind Attention
(Shri Amit Kumar Dass- Officer-Incharge)
Bang Bhavan,
3-Hailey Road,
New Delhi-110001.

Dated: 17.5.99

Subject: Reservation of accommodation for Mr. Justice M.K. Mukherjee, retired Judge of the Supreme Court of India.

Sir,

I am directed to refer to the telephonic conversation which Shri A.K. Paitandy, Director, in this Ministry, had with you on the subject matter. You were kind enough to book Room No. 101 with AC facilities for Mr. Justice Mukherjee effective from today evening till tomorrow evening when he leaves for Calcutta vide flight No. IC 264.

I am directed to request you to kindly make arrangements for his stay as above in the Bang Bhavan and also for his boarding viz. meals and other requirements. It is further requested that necessary bills for boarding and lodging charges for the stay of Mr. Justice Mukherjee may be sent to this Ministry for immediate process and reimbursement to you at our earliest.

Thanking you,

Yours faithfully,

V.P. Bhatia
(V.P. BHATIA)
UNDER SECRETARY
Tele No: 3015700

Received

Ok
17/5/99

Officer-in-Charge & Asstt Engineer
P.W.D. Banga Bhavan.
Govt. of West Bengal

S. M. 4 - 20 -

Nirul Kumar
30-7-1998

1. Netaji Mystery Revealed :-
S. Por. Goswami (Calcutta, 1989).
2. Netaji - Dead or alive :-
Samar Ghosh (New Delhi - 1978).
3. Netaji Subhas Chandra Bose - His
Great Struggle for Freedom :-
(Bombay, 1970).
4. Last days of Netaji :-
G. D. Khosla (New Delhi 1979).
5. Netaji Enquiry Report (Government
of India, Delhi, 1956).
6. Verdict from Jarnosa :-
Gallant End of Netaji
Subhas Chandra Bose :-
Haran Shah (Bom. 1966).
7. When Bose was Ziauddin :-
U. Hanmand - (Delhi 1945).
8. W.P. no 281 of 1998 - ^{disposed on} 30.4.98.
Rudrajyoti Bhattacharya :-

MHA/IS(D.III)

Justice M.K. Mukherjee, Chairman of the Commission of Inquiry to inquire into the disappearance of Netaji Subhas Chandra Bose met SS(ISP) in his room at 11.30 A.M. on 18.5.99 to discuss the terms and conditions of his appointment as Chairman of the said Commission. During discussion he desired that certain books and records may be made available to him to enable him to study the various aspects relevant to his inquiry. A copy of the list given by Justice Mukherjee is enclosed. While information with record to items (5) & (8) of the said list is being provided to him by D-III Desk of IS-I Division, S.No. (1) to (4) and (6) & (7) of the said list relate to certain books. Titles and writers of these books have been indicated in the said list.

Since these books are required to be provided to Justice Mukherjee for his official use as Chairman of the said Commission and since his requirement is urgent, pending setting up of a Secretariat for the Commission, it has been decided with the approval of JS(IS-I) that said books may be purchased by the MHA(Library) and made available to Justice Mukherjee directly at his Calcutta address:-

Mr. Justice M.K. Mukherjee,
GD 359, Sector III,
Salt Lake City,
Calcutta-700019.

or may be made available to D-III Desk for onward transmission to Justice Mukherjee.

In this connection, my telephonic discussion of yesterday evening with Librarian, MHA also refers.

It is requested that immediate follow up action in the matter may please be taken.

[Signature]
(V.P. BHATIA)
UNDER SECRETARY(D.IV)
19.5.1999

Librarian (MHA)

Recd.
[Signature]
18/5/99

1. As discussed with you on 16.5.99, Justice M.K. Mukherjee, who has been appointed to preside over the Commission of Inquiry pertaining to the disappearance of Netaji Subhas Chandra Bose, will be coming to New Delhi for a discussion on Terms Conditions of his appointment etc.
2. Pl. get the sanction of Admn. Divn MHA imm. for the following :-
 - (i) Reimbursement for the cost of IA flight ticket from Calcutta to N. Delhi on 17.5.99.
 - (ii) Purchase of his air ticket for his return journey from N. Delhi - Calcutta on 18.5.99.
 - (iii) T.A / DA as admissible -
 - (iv) Vehicle to pick him up from the airport and to take him to his place of residence, bring him for the meeting in MHA etc.
 - (v) Pay for his accommodation in West Bengal Bhavan for 17.5.99 & 18.5.99.

2865/JSIS-2/99
12/5

3.

Pl. send a request, booking a V.I.P A/c suite for him in West Bengal Bhavan imm and ensure that he is booked for the evening IA flight from Delhi-Calcutta on 18.5.99.

Sanjita Gairola
17.5.99

Most Promptly

Dir (IS-I)

I have already taken steps. JS (A) has been requested for all the arrangements / order in his connection. Sri K. R. Yadav of MHA Control Room has also been asked to coordinate. West Bengal Bhavan has been booked for Sri Mukherjee. Sri Bhattacharya, as (D-12) 17.5.99 Dir (IS-I)

3760/Dir (IS-I)
17/5

No. I/12014/4/99-15. (D.D.)
MINISTRY OF HOME AFFAIRS
(IS. I DIVISION)

.....

Mr. Justice M.K. Mukherjee (Retired Judge of Supreme Court) has been appointed to preside over the Commission of Inquiry on the alleged disappearance of Netaji Subhas Chandra Bose. He is coming to New Delhi today evening by flight No. IC 402 from Calcutta for discussion on terms and conditions of his appointment etc. Administration Division is requested to kindly extend help on the following immediately:-

- (i) Reimbursement of the cost of Indian Air Lines flight ticket from Calcutta to New Delhi on 17.5.99.
- (ii) Purchase of his return air ticket (Executive Class) for his return journey from New Delhi to Calcutta tomorrow i.e. 18.5.99 by IC flight No. 264 (departure time 18.30 PM).
- (iii) Allow necessary TA/DA admissible in his case.
- (iv) Sending a good condition vehicle alongwith the Protocol Officer of MHA to bring Justice Mukherjee from Airport today evening and also take him to Banga Bhawan on Hailey Road. The vehicle will be placed on the disposal of Justice M.K. Mukherjee till his return. Justice Mukherjee is also to be brought to MHA for meetings etc. with HM/HS/SS(ISP) today as well as tomorrow.
- (v) Arrangements for payment relating to Shri Mukherjee's stay/accommodation in West Bengal Bhawan for today as well as tomorrow.
- (vi) Taking Justice Mukherjee back to Airport again by an MHA official vehicle tomorrow. Shri Mukherjee is to leave for Calcutta by IC flight No. 264 on 18.5.99.

2. JS(A) is requested to kindly issue administrative sanction/orders for the mentioned arrangements. This issues with the approval of Special Secretary (ISP)/JS (IS. I).

[Signature]
 17.5.99
 (A.K. Paitandy)
 Director (IS. I)
 17.5.99

JS(A) May be done on top priority basis.
US (Cash)
 (U. IT)

3774/2718-2/99
 17/5

24-20 P.No-8-1
No. I/21014/4/99-IS(D.III)
MINISTRY OF HOME AFFAIRS
IS-I DIVISION

* * * *

Reference our letter dated 17.5.99 addressed to the Resident Commission, Government of West Bengal, Banga Bhawan, New Delhi (placed below). The required boarding and lodging arrangements were made by the Banga Bhawan for the stay of Mr. Justice M.K. Mukherjee, Chairman of Netaji Inquiry Commission for 17th and 18th May, 1999. Banga Bhawan has now sent a copy of Guest Card indicating a claim of Rs. 239/- representing room rent and meal charges. The claim appears to be in order.

2. It is requested that the claim may be passed for payment and an amount of Rs. 239/- may be paid to the bearer of this note who will deposit this amount with the Banga Bhawan and collect an official receipt for the same which will be provided to US(Cash) for records.

(V.P. BHATIA)
Under Secretary (D.IV)
21.5.99

US (Cash)

25 - MOST IMMEDIATE

P.No. 9

No. I/12014/4/99-IS(D.III)
GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF HOME AFFAIRS/GRIH MANTRALAYA

* * * * *

New Delhi, the 27 June, 1999.

To

The Pay & Accounts Officer,
Ministry of Home Affairs,
New Delhi.

1W
21/6
21/6

Subject : Terms and conditions of service of Mr. Justice M.K. Mukherjee, retired Judge of the Supreme Court of India, on his appointment to head the Commission of Inquiry to enquire into the disappearance of Netaji Subhas Chandra Bose.

* * * * *

Sir,

I am directed to convey the Sanction of the President to the following terms and conditions of appointment of Mr. Justice M.K. Mukherjee, a retired Judge of Supreme Court of India, who has been appointed to head the Commission of Inquiry set up to enquire into the aspects relating to disappearance of Netaji Subhas Chandra Bose in 1945, with effect from the forenoon of 14th May, 1999, till the Commission ceases to exist :

1. Pay : Fixed salary of Rs. 30,000/- per month less pension.

2. Allowances :

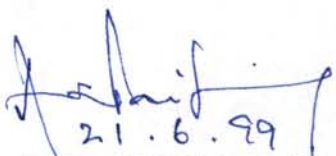
(a) Dearness Allowance : As payable to officers of All India Services getting pay of Rs.22,400/- p.m. and above either from the date from which it was admissible to sitting Judges or from the date on which he was appointed to the Commission whichever is later.

(b) Compensatory (City) Allowance : As would be admissible to the Serving Judges of Supreme Court/High Courts at the Headquarters station of the Commission/Committee.

- : : - 25 - 26 - 27
3. Official Residence : Rent-free furnished accommodation as admissible to the serving Judges of the Supreme Court of India under the Supreme Court Judges (Conditions of Service) Act, 1958 (41 of 1958) and the Supreme Court Judges Rules, 1959 as amended from time to time or House Rent Allowance at the rate of Rs. 10,000/- per month.
 4. Leave : As admissible to the serving Judges of the Supreme Court of India under the Supreme Court Judges (Conditions of Service) Act, 1958 (41 of 1958).
 5. Travelling Allowance & Leave Travel Concession : As admissible to the serving Judges of the Supreme Court of India under the Supreme Court Judges (Travelling Allowance) Rules, 1959 as amended from time to time including the benefit of Transfer T.A. as admissible under the Rules from Home Town to Headquarters for joining the Commission and from Headquarters to Home Town on relinquishing the charge of the Commission.
 6. Medical Facilities : As admissible to the serving Judges of the Supreme Court of India under the Supreme Court Judges Rules, 1959.
 7. Conveyance Facilities : As admissible to the serving Judges of the Supreme Court of India at the time of re-employment.
 8. Other Conditions and Benefits : All other conditions and benefits applicable to a sitting Judge of the Supreme Court of India.

This issues with the concurrence of the Ministry of Finance, Department of Expenditure, vide their U.O. Dy. No. 530/E.IV/99 dated 11.6.1999 vide the Integrated Finance Division U.O. Dy.No. 3017/99-Fin.II dated 16.6.1999 and Department of Justice vide their U.O. Dy.No. 1636/JS(J.II)/99 dated 25.5.1999.

Yours faithfully,

sk 
21.6.99
(A.K. PAITANDY)
DIRECTOR (IS-I)

21 JUN 1999

Copy to :

1. Mr. Justice M.K. Mukherjee, Chairman, Netaji Commission of Inquiry, GD 359, Sector III, Salt Lake City, Calcutta - 700 019.
2. Finance-II Desk, MHA, with reference to their U.O. No.3017/99-Fin.II dated 16.6.1999.
3. Ministry of Finance, E.IV Section, with reference to their U.O. No. 530/E.IV/99 dated 11.6.1999.
4. Ministry of Law & Justice, Department of Justice, Jaisalmer House, New Delhi,

WR/Please issue at once
MK/MAT
21.6.99



o/c *[Signature]*
21.6.99
(A.K. PAITANDY)
DIRECTOR (IS-I)

28
From: Shri P.K. Sengupta, WBHJS
Secretary (Retd.)

Justice Mukherjee Commission of Inquiry

for inquiry into the alleged disappearance of
Netaji Subhas Chandra Bose
'G' Block (3rd floor)
11/A Mirza Ghalib Street, Calcutta-700 087

Phone :
033-216-2765/68
033-216-2835
Fax :
033-216-2765

798/ISUSDIV/2000
21/3
DO No. JMC/...PF/Ch./99-2000/1/97-135.

P. No. 10

Calcutta, dated, the ...07.03.2000

2974/Dist(IS-I)/2000
16/3
Dear Mr. Pantandy,

I am directed to inform you that the Hon'ble Chairman of the Commission Mr. Justice M.K. Mukherjee will receive pay of Rupee 1/- only per mensem with effect from June, 1999 and all other allowances and perquisites admissible to him with effect from June, 1999. I am further directed to say that he will not draw any Dearness Allowance and City Compensatory Allowance.

With Regards,

Yours sincerely,

(P.K. Sengupta)

Important
17.3.2000
To
Shri A.K. Paitandy,
Director (IS-I),
Ministry of Home Affairs,
Govt. of India,
North Block,
New Delhi-110 001.

Srs

1368/1505 D16/2000
10/5

28-29-
33 216 2765

11044

Pradyot Kumar Sengupta, WBHJS (Retd.)
Ex-District & Sessions Judge, Ex-Principal Secretary to the
Chief Minister of West Bengal, Judicial Department,

Res. B 134, Salt Lake City (Sector III)
Calcutta 700 091
☎ 235-5714

Office ☎ 033-216-2835, 2765/68
Fax 033-216-2765

JMD/PRICH.99-2000/1/62

Calcutta, dated the 5th May, 2000

M886 PIR 05/05/00
9/5

...families to the Hon. Justice M.K. Mukherjee, a retired Judge of the Supreme Court

...the Hon. Justice M.K. Mukherjee on his appointment as a Judge of the ...

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...the above, at para 6 of the ...

A.K. Pandey
Director (IS-I)
Ministry of Home Affairs
Govt. of India
North Block
New Delhi 110 001

urgent
Heard do
S.N. Singh
19.5.2000
10/5/2000

30

THE SUPREME COURT JUDGES RULES, 1959
(AS ON 31.12.1999)

@GSR 935, dated the 4th August, 1959,--In exercise of the powers conferred under sub-section (1) and clauses (a), (b), (d) and (e) of sub-section (2) of section 24 of the #Supreme Court Judges (Salaries and Conditions of Service) Act, 1958, (41 of 1958), the Central Government hereby makes the following rules, namely:-

1. *Short title*--These rules may be called the Supreme Court Judges Rules, 1959.

2. *Special disability leave*--The rules for the time being in force with respect to the grant of special disability leave in relation to an officer of the Central Civil Services, Class-I, who has entered service on or after the 16th July, 1931, and who may be disabled by injury caused in, or in consequence of his official position shall apply in relation to a Judge, subject to the modification that the monthly rate of allowance payable to a Judge while on such leave shall be as specified in the First Schedule to these rules.

3. *Extraordinary pensions and gratuities*--The rules for the time being in force with respect to the grant of extraordinary pension and gratuities in relation to an officer of the Central Civil Services, Class-I, who has entered service on or after the 1st April, 1937, and who may suffer injury or dies as a result of violence in the course of an as a consequence of the due performance of his official duties, shall apply in relation to a Judge, subject, however, to the modification that reference in those rules to tables of injury gratuities and pensions, and of family gratuities and pensions shall be construed as references to the tables in the Second Schedule to these rules.

\$3A. *Payment of arrears of pension*--A Judge may nominate any other person to receive the arrears of pension payable to him in accordance with the provisions of the payment of Arrears of Pension (Nomination) Rules, 1983.

%3B *Post retiral benefits*--The retired Chief Justice and the retired Judge shall be entitled during their lifetime to a payment of +three thousand rupees per month for defraying the services of an orderly and also shall be entitled to a residential telephone free of cost and the number of free calls to the extent of 1,500 per month (over and above the number of free calls per month allowed by the telephone authorities). The above retiral benefits shall be provided by the Registrar of the Supreme Court of India on furnishing a certificate by the retired Chief Justice and the retired Judge in the form prescribed by the Registry of the Supreme Court of India.

*Provided that the above retiral benefit shall not be deemed to be income liable to Tax under the Income Tax Act, 1961.

@Published in the Gazette of India 1959, Pt. II Section 3(i) page (b) #Subs. by Act 18 of 1998 w.e.f. 1.1.1996

\$Ins. by GSR No. 1176(E) dated 4.11.1986 (F.No. 24/20/86-Jus.)

%Ins. by GSR 680(E) w.e.f. 12.11.1991

*Ins. by GSR 444(E) dated 10.5.1995 w.e.f. 12.11.1994

+Subs. by GSR 149(E) dated 24.2.1999.

-31-

4. *Residence of Judges*-- Each Judge shall be entitled without payment of rent to the use of furnished residence throughout his term of office and for a period of ~~!~~(one month) immediately thereafter, and no charge shall fall on the Judge personally in respect of the maintenance of such residence. This concession shall also be admissible to the members of the family of a Judge, who dies while in service, for a period of ~~!~~(one month) immediately after his death.

Explanation--For the purposes of this rule, "residence" includes the staff quarters and other buildings apartment thereto and the garden thereof, and "maintenance" in relation to a residence includes the payment of local rates and taxes and electricity and water.

This rule shall be deemed to have come into force on the 26th January, 1950.

\$[4A. *Rent for period of over stay*--(1) Where a Judge occupies a residence beyond the period specified in rule 4, he shall be liable to pay, for the period of over stay, rent calculated in accordance with the provisions of Fundamental Rules 45-B together with full departmental charges or if the rents have been pooled, the pooled standard rent under Fundamental Rules 45-A whichever is higher.

(2) Where a Judge dies while in service the members of his family shall, in addition to the period specified in rule 4, be entitled to occupy residence for a further period not exceeding one month by making payment of rent calculated in accordance with the provisions of Fundamental Rules, 45-A, or, if the rents have been pooled the Standard rent under that rule].

%4B. *Free furnishings*--The value of free furnishing (including electrical appliances) provided free of rent in the official residence allotted to the Chief Justice shall not exceed Rs.*(2,50,000) (Rupees Two Lakh Fifty Thousand Only) and in the case of other Judges shall not exceed Rs.*(2,00,000) (Rupees Two Lakh only).

5. *Facilities for medical treatment and accommodation in hospitals*--In respect of facilities, for medical treatment and accommodation in hospitals, the provisions of the All India Services (Medical Attendance) Rules, 1954, shall apply to a Judge as they apply to a Member of the India Administrative Service and shall be deemed to have come into force on the 26th January, 1950.

=Provided that the expenses shall be reimbursed on prescription of Government Doctor/Hospital or Recognised Private Practitioner/Private Hospital by the Registry of the Supreme Court of India.

6. *Conditions of Services where no express provision is made in the Act* -- The conditions of service of a Judge of the Supreme Court for which no express provision has been made in the +Supreme Court Judges (Salaries and Conditions of Service) Act, 1958, shall be and shall from the commencement

! Subs. GSR No.634 dated 22.4.1976

@ Subs. by GSR 718(E) dated 3.11.1995 w.e.f. 1.4.1994

Subs. by GSR No.381 dated 20.4.1993 w.e.f. 25.9.1992

\$ Ins. by GSR 634 dated 22.4.1976

% Ins. by GSR 698 (E) dated 25.11.1991.

* Subs. by GSR 717(E) dated 3.11.1995 w.e.f. 3.11.1995

+ Subs. by Act 18 of 1998 w.e.f. 1.1.1996

= Ins. by GSR No.717(E) dated 3.11.1995

- 28 - 32 -

of the Constitution be deemed to have been determined by the rules for the time being applicable to a member of the Indian Administrative Service holding the rank of Secretary to the Government of India.

NOTE: Cases relating to reimbursement of medical charges or any other matter covered by rule 5 or rule 6 which have been decided before the date of publication of these rules in the official Gazette, shall not be re-opened unless it is specifically so desired by the Judge concerned.

7. *Decision of question*--If any question arises about the interpretation of the provisions of these rules, the decision of the Central Government thereon shall be final.

8. *Savings*--Nothing in these rules shall have effect so as to give to a Judge who is serving as such on the date of publication of these rules in the Gazette less favourable terms in respect of his privileges than those to which he should have been entitled, if these rules had not been framed.

33-

23

BY SPEED POST

No.I/12014/4/99-IS (D.III)
Government of India
Ministry of Home Affairs,

24th
New Delhi, dated the May, 2000

To

Shri P K Sengupta,
Secretary,
Justice Mukherjee Commission of Inquiry,
'B' Block (third floor)
11/A Mirza Ghalib Street,
Calcutta- 700 087

Subject:- Supreme Court Judges Rules, 1959.

Sir,

I am directed to refer to your letter No.JMCI/PF/Ch.99-2000/1/62 dated 5-5-2000 on the above subject and to forward herewith a copy of the Supreme Court Judges Rules, 1959, as desired.

Yours faithfully,

(V.P. BHATIA)
UNDER SECRETARY TO THE GOVT. OF INDIA
o/c

P1. issue
Dr. 24/5
15Curt
←

34

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Fax :
0091-033-252-2765

Phone:
Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68
e-mail:
jmcinseb@cal.3.vsnl.net.in

No. JMCI/ PF/Ch./99-2000/1/430

Kolkata, dated, 26. 11. 2002.

From : Shri P.K. Sengupta,
Secretary

To : The Secretary to the Government of India,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi-110001.

Sub : Earned leave and LTC for himself
and his dependent wife availed of
by the Hon'ble Chairman, Mr. Justice
M.K. Mukherjee, a retired Judge of
the Supreme Court of India.

S i r,

I am directed to state for your information and necessary action that the Hon'ble Chairman Mr. Justice M.K. Mukherjee, availed himself of earned leave for 8 (eight) days from 18.11.2002 to 25.11.2002 prefixed by Saturday and Sunday falling on 16.11.2002 and 17.11.2002 respectively. He resumed his office on 26.11.2002 (forenoon) on the expiry of leave for the aforesaid period.

I am further directed to state that the Hon'ble Chairman also availed himself of Leave Travel Concession for himself and his dependant wife for travelling from Kolkata to Mumbai and back by air. He left Kolkata by the morning flight on 17.11.2002.

An attested copy of the note of the Hon'ble Chairman, which will speak for itself, is enclosed.

Yours faithfully,

(P. K. Sengupta)
Secretary

Encl : As stated above.

No. JMCI/ PF/Ch./99-2000/1/430/1

Dated : 26.11.2002.

Copy forwarded for information and necessary action to Shri L.C. Goyale, Joint Secretary (JS), Ministry of Home Affairs, North Block, Govt. of India, New Delhi-110001.

(P. K. Sengupta)
Secretary

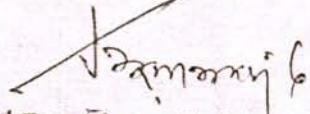
— 35 —

Justice Mukherjee Commission of Inquiry
to inquire into the alleged disappearance
of Netaji Subhas Chandra Bose.

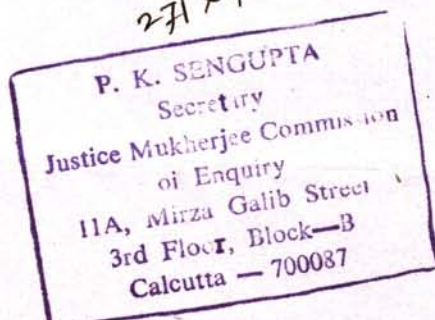
I availed myself of earned leave for 8 (eight) days from 18.11.2002 to 25.11.2002, prefixing Saturday and Sunday falling on 16.11.2002 and 17.11.2002 respectively.

I resumed my office on 26.11.2002 (forenoon) on the expiry of the said earned leave.

I also availed myself of Leave Travel Concession for travelling from Kolkata to Mumbai and back along with my dependent wife by air and for this I incurred an expenditure of Rs.44,412/- (Rupees forty four thousand four hundred and twelve) only, being the plane fare for myself and my dependent wife for our journey from Kolkata to Mumbai and back.


(Justice M.K. Mukherjee)
Chairman

27.11.02



576/NCB/03
24/10

— 50 — 36 —

No. 2507 JJS (Security)/03
2003

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:
Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68
e-mail : jmcinscb@cal.3.vsnl.net.in

Fax :
0091-033-252-2765

No. JMCI /PF/Ch./99-2000/1/287

Kolkata, dated, Oct. '16, 2003

From : Shri P.K.Sengupta
Secretary

To : The Secretary to the Government of India
Ministry of Home Affairs
Government of India
North Block
New Delhi-110001.

Recd
22.10.2003
Dis/S

Sub: Earned leave and LTC for himself and his
dependent wife availed of by the Hon'ble
Chairman, Mr. Justice M.K.Mukherjee, a
retired Judge of the Supreme Court of India

Sir,

I am directed to state for your information and necessary
action that the Hon'ble Chairman Mr. Justice M.K.Mukherjee, availed
himself of earned leave for 8 (eight) days from 07.10.03 to 14.10.
03 prefixed by holidays on account of Gandhiji's Birthday and
Durgapuja from 02.10.03 to 06.10.03. He resumed his office on
15.10.03 (forenoon) on the expiry of leave for the aforesaid period.

I am further directed to state that the Hon'ble Chairman
also availed himself of Leave Travel Concession for himself and his
dependent wife for travelling from Kolkata to Mumbai and back by
air. He left Kolkata by the evening flight on 01.10.03.

The note of the Hon'ble Chairman in this regard, which will
speak for itself, is enclosed.

Yours faithfully,

(P.K.Sengupta)
Secretary

2674/Di(8)03
23/10

No. JMCI/PF/Ch/99-2000/1/287/1 dt.16.10.03.

Copy with a copy of enclosure forwarded for information and necessary
action to Shri Rakesh, Joint Secretary (IS), Ministry of Home Affairs,
North Block, Government of India, New Delhi-110001.

(P.K.Sengupta)
Secretary

23/10
Mr N.

- 5 - 37 -

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman -- 252-2835
Secretary -- 252-2767
Officer on
Special Duty -- 252-2765
Office -- 252-2766/68

e-mail : jmcinsecb@cal.3.vsnl.net.in

Fax :
0091-033-252-2765

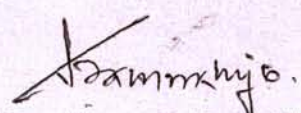
NO. JMCI /PF/Ch./99-2000/1/286

Kolkata, dated, Oct '16, 2003

I availed myself of earned leave for eight (8) days from 07.10.03 to 14.10.03, prefixing holidays on account of Gandhiji's birth day and Durga Puja from 02.10.03 to 06.10.03.

I resumed my office on 15.10.03 (forenoon) on the expiry of the earned leave.

I also availed myself of Leave Travel Concession for travelling by air from Kolkata to Mumbai and back along with my dependent wife and for this I incurred an expenditure of Rs. 50,240/- (Rupees fifty thousand two hundred and forty) only, being the plane fare for myself and my dependent wife for our journey from Kolkata to Mumbai and back.


(Justice M.K. Mukherjee)
Chairman

— 38 —

L-439/JS(S)/07
28/1

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/68

e-mail : jmcinscb@cal.3.vsnl.net.in

Fax :
0091-033-252-2765

No. JMCI/PF/Ch./99-2000/1/424

Kolkata, dated, **22.02.2005.**

From : Shri M. Roy, IAS (Retd.),
Officer on Special Duty

To : The Secretary,
Ministry of Home Affairs,
Government of India,
North Block,
New Delhi 110001.

Sub : Earned leave and LTC for himself and
his dependent wife availed of by the
Hon'ble Chairman, Mr. Justice M. K.
Mukherjee, a retired Judge of the
Supreme Court of India.

S i r,

I am directed to state for your information and necessary action that the Hon'ble Chairman Mr. Justice M. K. Mukherjee, availed himself of earned leave for 1 (one) day, i.e., 14.02.2005 prefixed by holidays on account of Saturday and Sunday from 12.02.2005 to 13.02.2005. He resumed his office on 15.02.2005 (forenoon) on the expiry of leave for the aforesaid period.

I am further directed to state that the Hon'ble Chairman also availed himself of Leave Travel Concession for himself and his dependent wife for travelling from Kolkata to Mumbai and back by air. He left Kolkata by the evening flight on 11.02.2005.

The note of the Hon'ble Chairman in this regard which will speak for itself, is enclosed.

Yours faithfully,

Sd/-

(M. Roy)
Officer on Special Duty

No. JMCI/PF/Ch./99-2000/1/424/1(1).

Dated : 22.05.2005.

Copy with a copy of enclosure forwarded for information and necessary action to Shri Rakesh, Joint Secretary (IS), Ministry of Home Affairs, North Block, Govt. of India, New Delhi 110001.

(M. Roy)
Officer on Special Duty

— 39 —

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
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Special Duty — 252-2765
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Fax :
0091-033-252-2765

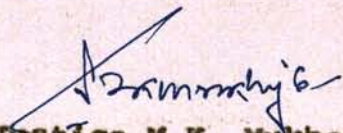
No. JMCI /PF/Ch./99-2000/1/425

Kolkata, dated, **22.02.2005.**

I availed myself of earned leave for one (1) day, i.e., 14.02.2005, prefixing holidays on account of Saturday and Sunday from 12.02.2005 to 13.02.2005.

I resumed my office on 15.02.2005 (forenoon) on the expiry of the earned leave.

I also availed myself of Leave Travel Concession for travelling by air from Kolkata to Mumbai and back along with dependent wife and for this I incurred an expenditure of Rs.52,994/- (Rupees Fifty two thousand nine hundred and ninety four) only, being plane fare for myself and my dependent wife for our journey from Kolkata to Mumbai and back.


(Justice M.K. Mukherjee)
Chairman

— 58-40 —

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
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0091-033-252-2765

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North Block,
New Delhi 110001.

Sub : Earned leave and LTC for himself and
his dependent wife availed of by the
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Supreme Court of India.

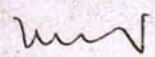
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Yours faithfully,


(M. Roy)
Officer on Special Duty



- 58 - 41 -

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
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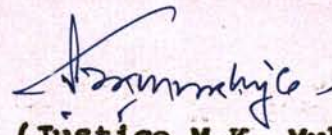
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(Justice M.K. Mukherjee)
Chairman

सी सी एम बी



CCMB

कोशिकीय एवं आणविक जीवविज्ञान केन्द्र

(वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद्)

उप्पल रोड, हैदराबाद - 500 007, भारत

CENTRE FOR CELLULAR AND MOLECULAR BIOLOGY

(Council of Scientific & Industrial Research)

Uppal Road, Hyderabad - 500 007, India

डॉ. लालजी सिंह

Dr. Lalji Singh

निदेशक

Director

FAX 011-24619536

No. DCCMB/34

April 4, 2006

TOP SECRET/MOST CONFIDENTIAL

Mrs B Bhamathi

Joint Secretary (Security)

Ministry of Home Affairs

Lok Nayak Bhawan, Khan Market

New Delhi 110 003

Dear Mrs. Bhamathi,

Please refer to your D.O. letter no. 12014/1/2006-NCB.II dated 3rd April 2006 referring to the discussion I had with you at CCMB, Hyderabad on the report of the Justice Mukherjee Commission of Inquiry. In reply to your question whether, or to what extent, there is a likelihood of coming to a firm conclusion that the ashes preserved in the Renkoji Temple are that of Netaji Subhas Chandra Bose if those are subjected to DNA test, my replies are as follows:

By looking at the photographs of the ashes shown to me by you, it appears that bones are badly charred. There is hardly any piece of bone apparently unburnt. Based on our past experience of trying to isolate DNA from such type of forensic samples, I can confidently say that there is hardly any possibility (may be about 1%) of getting any DNA at all. I would also like to point out that if we make an attempt to isolate DNA with such a low possibility, the total ashes will be used up in the process, and nothing will be left. Under the circumstances, it may not be worthwhile to undertake isolation of DNA from the ashes of Netaji, which has such a strong sentimental value.

with regards.

Yours sincerely,

L. Singh

[Lalji Singh]

दूरभाष (Off) 27160789
Telephone : EPABX : 27160222 - 41
(Resi.) 27160555, 27160556

फैक्स International : +91-40-27160252, 27160591, 27160311
Fax India : 040-27160252, 27160591, 27160311
Website : www.ccmb.res.in

ई मेल : lalji@ccmb.res.in
E-mail : lalji@ccmb.res.in
तार : बायोसेन्टर
Telegram : Biocontrol

सी सी एम बी

कोशिकीय एवं आणविक जीवविज्ञान केन्द्र
(वैज्ञानिक तथा औद्योगिक अनुसंधान परिषद्)
उप्पल रोड, हैदराबाद - 500 007, भारत



CCMB

CENTRE FOR CELLULAR AND MOLECULAR BIOLOGY
(Council of Scientific & Industrial Research)
Uppal Road, Hyderabad - 500 007, India

डॉ. लालजी सिंह
निदेशक

Dr. Lalji Singh
Director

FAX 011-24619536

No. DCCMB/34
April 4, 2006

TOP SECRET/MOST CONFIDENTIAL

Mrs B Bhamathi
Joint Secretary (Security)
Ministry of Home Affairs
Lok Nayak Bhawan, Khan Market
New Delhi 110 003

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with regards.

Yours sincerely,

L. Singh

[Lalji Singh]

Dr. Lalji Singh
4/10/06
US (JMC?)

दूरभाष (Off) 27160789
Telephone : EPABX : 27160222 - 41
(Resi.) 27160555, 27160556

फैक्स International : +91-40-27160252, 27160591, 27160311
Fax India : 040-27160252, 27160591, 27160311
Website : www.ccmb.res.in

ई मेल : lalji@ccmb.res.in
E-mail : lalji@ccmb.res.in
तार : बायोसेन्टर
Telegram : Biocentre

cab 478/HJ/14
11-5

— 44 —



SECRET/MOST IMMEDIATE

VIJAI SHARMA
Additional Secretary
Tel: 2301 2697

अपर सचिव
मंत्रिमण्डल सचिवालय
राष्ट्रपति भवन, नई दिल्ली - 110004
ADDITIONAL SECRETARY
CABINET SECRETARIAT
RASHTRAPATI BHAWAN
NEW DELHI - 110004

1828 08-AS (BM)
11/5.....
D.O. No. 19/CM/2006

May 11, 2006

Dear Sir,

The Cabinet in its meeting held on 09.05.2006 considered the note dated 25.04.2006 04.05.2006 from the Ministry of Home Affairs regarding **"Report of Justice Mukherjee Commission of Inquiry on the alleged disappearance of Netaji Subhas Chandra Bose - Action Taken Report"** and

URGENT

(i) observed that the Commission's inquiry was inconclusive in many ways, unable to provide a definitive finding on several issues and at variance with past well accepted Inquiry Commissions' findings in some critical areas; and

HS on
tour. Secy (Parl.)
also phoned to
inform that the
matter may be
placed before the
Parliament,
urgently. [Copy
kept for HS inf.]

(ii) directed that in the light of (i) above, the Action Taken Report specifically mention that Government did not agree with the findings that:

- (a) Netaji did not die in the plane crash; and
- (b) the ashes in the Renkoji Temple were not of Netaji.

2. The minutes of the meeting will be issued in due course. In the meanwhile, this letter may be treated as an authority to take further action in the matter.

With regards,

Yours sincerely,

Vijai Sharma
(VIJAI SHARMA)

Shri V.K. Duggal,
Secretary,
Ministry of Home Affairs,
New Delhi.

11/05/06
AS(BM)
JSD

SECRET/MOST IMMEDIATE



VIJAI SHARMA
Additional Secretary
Tel: 2301 2697

अपर सचिव
मंत्रिमण्डल सचिवालय
राष्ट्रपति भवन, नई दिल्ली - 110004
ADDITIONAL SECRETARY
CABINET SECRETARIAT
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NEW DELHI - 110004

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Yours sincerely,

Vijai Sharma
(VIJAI SHARMA)

Shri V.K. Duggal,
Secretary,
Ministry of Home Affairs,
New Delhi.

SECRET/MOST IMMEDIATE



VIJAI SHARMA
Additional Secretary
Tel: 2301 2697

अपर सचिव
मंत्रिमण्डल सचिवालय
राष्ट्रपति भवन, नई दिल्ली - 110004
ADDITIONAL SECRETARY
CABINET SECRETARIAT
RASHTRAPATI BHAWAN
NEW DELHI - 110004

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With regards,

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Vijai Sharma
(VIJAI SHARMA)

Shri V.K. Duggal,
Secretary,
Ministry of Home Affairs,
New Delhi.

JMC1 expenditure

1999-00 -	1758.00	60 - 47
2000-01 -	2924.00	
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2003-04	3391.00	
2004-05	4281.26	
2005-06	2535.24	
(46 to 31/1/06)		
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17,580.00

17.58
29.24
31.9551
32.2896
33.9100
42.8126
2535.24
213.1397

R. 2.13 cr.

9312025169

9810807180

Tele/Fax: 26104061

Registered/By Hand

Government of India
Ministry of Defence
History Division
Wing-1, West Block-8
R K Puram
New Delhi-110066

2191/NIC/H/99

07 Mar 2006

To

OSD (Security)
Ministry of Home Affairs
Room No. 3, 'C' Wing
IX-Floor, Lok Nayak Bhawan
New Delhi

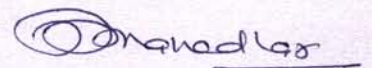
History of Indian National Army

Sir,

History Division, Ministry of Defence had forwarded a copy of the History of INA, compiled in the History Division in 1950 for perusal to the Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose. It is learnt that the History has been forwarded to the Ministry of Home Affairs (the enclosed letter from Sh M Roy, Secretary of the Commission refers)

2. I shall be grateful if the history is returned back to us at an early date.

Yours Sincerely,



(Mrs R Dhanedhar)
Dy Director

Encl: As above

11/10/05
8/3/2006
US (Guswami)
8/3/06

Am
9/3/06

JUDICIAL MURDER CASE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DEATH OF
NETAJI SUBHAS CHANDRA BOSE
(B) Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835

Secretary - 252-2767

Officer in

Special Duty - 252-2705

Office - 252-2766/68

e-mail: jmcinsebt@cal3.vsnl.net.in

For
001 011 252 2765

No. JMCI/Records.ND/99-2000/37(IV)/194

Kolkata, dated, 07.12.05.

From : Shri M. Roy, IAS (Retd.),
Secretary

To : Mrs. R. Dhandhar,
Deputy Director, Govt. of India,
Ministry of Defence, History Division,
Wing-I, West Block-8, R.K. Puram,
New Delhi-110066.

S i r,

I am to refer to your letter No.2191/NIC/H/99 dated 25.11.2005 and to state that the photocopy of the manuscript of the draft history of INA received at this end as referred to in the aforesaid letter is sent to the Ministry of Home Affairs, Government of India, New Delhi-110003 for proper preservation in terms of their directions contained in their letter No.12014/6/2005-NCB.II. dated 27.10.2005 requiring this office to send them all papers/documents handled by or in the Commission.

Yours faithfully,

(Signature)
(M. Roy)
Secretary

tu
7/12/05



L.D. Ralte
Joint Secretary (CNV)
Tel: 2301 1357

विदेश मंत्रालय, नई दिल्ली
MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

MOST IMMEDIATE

No.25/4/NGO-Vol.XIV

5 April 2006

Dear Ms. Bhamathi,

Thank you for sharing the relevant portions of the JMCI's report of interest to MEA.

2 I have been directed to state that in the matter of the Head Priest of the Renkoji Temple in Tokyo and the issue of appointing research scholars in the USA to do archival research of American repositories for relevant historical documents on Netaji that:

- a) It is MEA's understanding that the Head Priest of Renkoji Temple has agreed to the DNA testing of the alleged remains of Netaji kept in his temple in Tokyo, with the only conditions being that the names of his father and himself be recognised wherever the remains are finally interred and that if possible, he be allowed to retain any part of the remains so that he can continue to pray for the soul of Netaji.
- b) On the matter of engaging scholars to do archival searches in US repositories, unfortunately, our Mission in Washington DC had not found the researchers as requested by the JMCI till the time of the Commission writing its report.

With best regards,

Yours sincerely,

(L.D. Ralte)

Ms. B. Bhamathi
Joint Secretary (Security)
Ministry of Home Affairs
Lok Nayak Bhawan (9th floor, Room No 5)
Khan Market
New Delhi - 11 00 03



L.D. Ralte
Joint Secretary (CNV)
Tel: 2301 1357

MOST IMMEDIATE

No.25/4/NGO-Vol.XIV

5 April 2006

Dear Ms. Bhamathi,

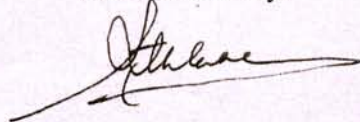
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With best regards,

Yours sincerely,


(L.D. Ralte)

Ms. B. Bhamathi
Joint Secretary (Security)
Ministry of Home Affairs,
Lok Nayak Bhawan (9th floor, Room No 5)
Khan Market
New Delhi - 11 00 03



30-52

TOP SECRET

विदेश मंत्रालय, नई दिल्ली
MINISTRY OF EXTERNAL AFFAIRS
NEW DELHI

L.D. Ralte
Joint Secretary (CNV)
Tel: 2301 1357

MOST IMMEDIATE

No.25/4/NGO-Vol.XIV

5 April 2006

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Ms. B. Bhamathi
Joint Secretary (Security)
Ministry of Home Affairs
Lok Nayak Bhawan (9th floor, Room No 5)
Khan Market
New Delhi - 11 00 03

SHRI SHRIPRAKASH JAISWAL: Sir, on behalf of Shri Vishwanath Patil, I lay on the Table

I. A copy each (in English and Hindi) of the following papers, under sub-section (4) of section 3 of the Commission of Enquiry Act, 1952:—

(a) Report (Volumes I, II-A and II-B) of the Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose.

(b) Action Taken Memorandum on the report of the Justice Mukherjee Commission of inquiry regarding the alleged disappearance of Netaji Subhas Chandra Bose.

II. Statement (in English and Hindi) giving reasons for the delay in laying the papers mentioned at (I) above.

were surrendering and the Russians were aligning with the Allied Forces, he would give up the fight for independence leaving his comrades in the lurch and live a secluded indolent life in some corner of this planet. This simply does not fit in with the fiery and indomitable character of Netaji.

18. In view of the foregoing, it is felt that the report submitted by JMCI has many weaknesses and, although its report differs with those of the earlier Committee and Commission, it has not come out with adequate and solid reasons, justifications and grounds for coming to the conclusions. On studying the report it seems, as mentioned above, the conclusions are hasty and bristled with flaws. As it goes against the other two reports, acceptance of the report may lead to a lot of hue and cry by those who still want to bank on and exploit this issue. Also, the report is not going to solve the mystery about Netaji. On the contrary, it makes the issue more mysterious.

19. It is also germane to mention here that as per Section 3 (4) of the Commissions of Inquiry Act, 1952, the report is to be laid before the House of the People together with a Memorandum of the action taken thereon within a period of six months of the submission of the report of the Commission. The Commission has submitted the report on 8th November, 2005 and hence the period of six months runs upto 7th May, 2006. The Commission has not recommended any action in this report. But if it is decided not to accept the report, then a Memorandum of Action on the report in that line will be prepared.

20. Also, it is proposed that the following courses of action may be taken immediately –

- i) To make one set of photo copy of all the three volumes and send to Central Translation Bureau for translating them into Hindi.
- ii) To write to the Government of India Press for printing of the report in book form (about 900 copies will be required).

21. It is also for consideration whether a note for the Cabinet may be prepared on the above lines enclosing a gist of the report and the findings as at F/X.

22. Submitted.

S.K. Goswami
12/12/05
(S.K. Goswami)
Under Secretary

OSD(S)

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2835
Secretary - 252-2767
Officer on
Special Duty - 252-2765
Office - 252-2766/69

e-mail : jmcinsecb@cal3.vsnl.net.in

Fax : 0091-033-252-2765

No. JMC I/ Admn/99-2000/32(III)/225

Kolkata, dated, 06.01.2006.

From : Shri M. Roy, IAS (Retd.),
Secretary

To : Shri S.K. Goswami,
Under Secretary to the Govt. of India,
Ministry of Home Affairs,
Loknayak Bhavan, 9th floor,
Khan Market,
New Delhi-110003.

Sub : Winding up of the Commission -
sending of records, disposal of
office furniture, office equipments,
books, etc. - regarding.

S i r,

Kindly refer to my letter No. JMC I/Admn/99-2000/
32(III)/212 dated 22.12.2005 which was sent to you in
response to your letter No. 12014/7/2005-NCB.II dated
December 21, 2005 on the above subject. I would request
you to kindly send to us at an early date the particulars
as also the clarification sought for in my said letter
dated 22.12.2005.

To expedite our making over of the office
furniture, office equipments, carpets, etc. to the
Central Government authorities mentioned at Sl.(i) of
your aforesaid letter dated December 21, 2005, the
following steps are suggested :-

- (1) A copy of our list of the said articles
may be furnished to the said Central
Government authorities;
- (2) The said authorities may be advised to
indicate to the Ministry of Home Affairs,
Government of India, their respective
requirements for those articles in the
list, preferably on physical verification
of the said articles at the office of
the Commission;

contd...P.2.

FROM : JMCI KOLKATA

FAX NO. : 0332252 2765

JAN. 06 2006 02:28PM P2

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata 700 087

Phone:

Chairman - 252-2035
Secretary - 252-2707
Officer on
Special Duty - 252-2705
Office - 252-2706/08

e-mail : jmcinscb@cal.3.vsnl.net.in

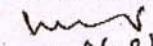
TEL : 0091-033-252-2765

NO. JMCI/

- : 2 : - , Kolkata, dated,

- (3) Ministry of Home Affairs, Government of India, may allot those articles in our list in consideration of the respective requirements of the said Central Government authorities and copies of the said allotment order of the Ministry of Home Affairs, Government of India, may be endorsed to the allottees concerned as also to us so that the allottees can take over their respective allotted articles at our office according to the said allotment order of the Ministry of Home Affairs, Government of India after despatch of all the files/records/documents/books of the Commission to the Ministry of Home Affairs, Government of India, New Delhi.

Yours faithfully,


06.01.06
(M. Roy)
Secretary

Reference notes of US (HC) on ptra - page.

Smt. Anuradha Talwar was on duty in the Security Division on 7-4-06. An order was also issued after consulting AD.II Section. Actually, Smt. Sushma Amarpari was on duty on that day. But she had some problem and after consulting AD.II Section, Smt. Talwar was deployed vice Smt. Amarpari. The following are enclosed to prove that Smt. Talwar actually was on duty in the Security Division on 7-4-06 -

- 1) copy of order dt. 5-4-06 deploying her on duty on 7-4-06 vice Smt. Sushma Amarpari.
- 2) copy of attendance of Smt. Talwar.

May pl. see.

Sugoswami
18/4/06
(S.K. ROSWAMI)
US (Arms)
2461-0466

US (HC)

- 59 -

No. 12014/1/2006-NCB.II
Government of India
Ministry of Home Affairs
Security Division

Dated: 5-4-2006.

Office Order

In continuation of Office Order No. A.22015/1/2006-Ad.II dated 3rd April, 2006, Smt. Anuradha Talwar, UDC, FF HC, FFR Division, is hereby deputed for an emergent and confidential duty in the Security Division on 7th April, 2006 vice Smt. Sushma Amarपुरi, UDC, OL(S).

This issues with the approval of OSD(S) in the Security Division.

of Sec
5/4/06
(S.K. Goswami)
Under Secretary

Smt. Anuradha Talwar,
UDC, FFHC, FFR Division,
MHA, LNB, New Delhi.

Copy forwarded for information to Shri O.P. Sharma, US (Ad.II), MHA, North Block, New Delhi. This is with reference to the telephonic conversation the undersigned had with him on 4-4-2006.

Copy also forwarded for information to US(HC)/SO(HC), MHA, Lok Nayak Bhavan, New Delhi.

of Sec
5/4/06
(S.K. Goswami)
Under Secretary

-60-

D.O. No. 12014/1/2006-NCB.II

TOP SECRET
MOST IMMEDIATE

B. Bhamathi,
Joint Secretary (Security)

Dated: March 30, 2006.

Justice Mukherjee Commission of Inquiry has since submitted its report and we are processing the same for tabling before the Parliament. In this connection we would like to have your guidance/advice on the specific point whether, or to what extent, there is a likelihood of coming to a firm conclusion that the ashes preserved in the Renkoji Temple are that of Netaji Subhas Chandra Bose if the same are subjected to DNA test.

I shall be grateful if you kindly let me have your response to the above early, so as to enable us to take further action in the matter.

best regards,

Yours sincerely,

B. Bhamathi
(B. Bhamathi)

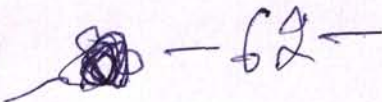
Encl: As above.

Dr. Lalji Singh,
Director,
Centre for Cellular and Molecular Biology,
Uppal Road,
Hyderabad - 500007.

चपरासी की बही
PEON BOOK

[illegible]

+ 61


SECRET
MOST IMMEDIATE
BY FAX

No. 12014/1/2006-NCB.II
Government of India
Ministry of Home Affairs
Security Division

Dated: April 10, 2006.

Shri Alok Kumar,
Deputy Commissioner (Headquarters),
Delhi Police,
I.P. Estate,
New Delhi.

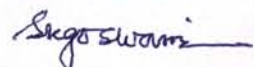
Sub: Security arrangements for printing of the report of Justice
Mukherjee Commission of Inquiry – Request regarding.

Sir,

I am directed to refer to the letter No. 13024/26/20067-UTP dated 9th March, 2006 addressed to Dr. K.K. Paul, Commissioner of Police, by Shri I.B. Karn, Director (Delhi), on the above subject, and to say that the printed copies of the report will be delivered by the Printers in Okhla on 12-4-2006. The printed copies will be brought by a Tempo from Okhla and stored in the North Block on the same day i.e. 12-4-2006.

2. You are requested to kindly provide security to escort the Tempo from Okhla to North Block on 12-4-2006.

Yours faithfully,


(S.K. Goswami)
Under Secretary

SECRET
MOST IMMEDIATE
BY FAX

No. 12014/1/2006-NCB.II
Government of India
Ministry of Home Affairs
Security Division

Dated: April 10, 2006.

Shri Alok Kumar,
Deputy Commissioner (Headquarters),
Delhi Police,
I.P. Estate,
New Delhi.

Sub: Security arrangements for printing of the report of Justice
Mukherjee Commission of Inquiry – Request regarding.

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2. You are requested to kindly provide security to escort the Tempo from Okhla to North Block on 12-4-2006.

Yours faithfully,

% *Sug*
10/4/06
(S.K. Goswami)
Under Secretary

- 64 -

23

SENDING CONFIRMATION

DATE : APR-10-2006 MON 10:27
NAME :
TEL :

PHONE : 23490453
PAGES : 1/1
START TIME : APR-10 10:27
ELAPSED TIME : 00' 20"
MODE : ECM
RESULTS : OK

FIRST PAGE OF RECENT DOCUMENT TRANSMITTED...

SECRET
MOST IMMEDIATE
BY FAX

No. 12014/1/2006-NCB.II
Government of India
Ministry of Home Affairs
Security Division

Dated: April 10, 2006.

Shri Alok Kumar,
Deputy Commissioner (Headquarters),
Delhi Police,
I.P. Estate,
New Delhi.

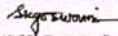
Sub: Security arrangements for printing of the report of Justice
Mukherjee Commission of Inquiry - Request regarding.

Sir,

I am directed to refer to the letter No. 13024/26/20067-UTP dated 9th March, 2006 addressed to Dr. K.K. Paul, Commissioner of Police, by Shri I.B. Karn, Director (Delhi), on the above subject, and to say that the printed copies of the report will be delivered by the Printers in Okhla on 12-4-2006. The printed copies will be brought by a Tempo from Okhla and stored in the North Block on the same day i.e. 12-4-2006.

2. You are requested to kindly provide security to escort the Tempo from Okhla to North Block on 12-4-2006.

Yours faithfully,


(S.K. Goswami)
Under Secretary

65-

No. 12014/1/2006-NCB.II
Government of India
Ministry of Home Affairs
Security Division

Dated: 5-4-2006.

Office Order

In continuation of Office Order No. A.22015/1/2006-Ad.II dated 3rd April, 2006, Smt. Anuradha Talwar, UDC, FF HC, FFR Division, is hereby deputed for an emergent and confidential duty in the Security Division on 7th April, 2006 vice Smt. Sushma Amarpuri, UDC, OL(S).

This issues with the approval of OSD(S) in the Security Division.

% *[Signature]*
5/4/06
(S.K. Goswami)
Under Secretary

[Signature]
5/4/06
Smt. Anuradha Talwar,
UDC, FFHC, FFR Division,
MHA, LNB, New Delhi.

Copy forwarded for information to Shri O.P. Sharma, US (Ad.II), MHA, North Block, New Delhi. This is with reference to the telephonic conversation the undersigned had with him on 4-4-2006.

Copy also forwarded for information to US(HC)/SO(HC), MHA, Lok Nayak Bhavan, New Delhi.

% *[Signature]*
5/4/06
(S.K. Goswami)
Under Secretary

- 66 - 1-2273/28(5) m
19/9

GOVERNMENT OF MAHARASHTRA

Secret/Speed Post

No.ENQ-0505/CR-97/POL-2,
Home Department, Mantralaya,
Mumbai-400 032
Dated the 14th September, 2005

To,
✓ Shri Rakesh,
Joint Secretary to the
Government of India,
Ministry of Home Affairs,
North Block,
New Delhi. 110001

Subject:- Notice of question of privilege given by
Shri Hansraj Ahir, M.P.

Sir,

Please refer to your D.O. letter No. 1/16012/4/2005-NCB.II dated
15th June, 2005.

Spl. I.G.P., Nagpur conducted enquiry into this matter. A copy of his
report in this matter alongwith report of Director General of Police,
Maharashtra State, dated 3rd August, 2005 is enclosed.

There is no objection if a copy of this report is given to the Hon'ble
MP.

Yours faithfully,

(S.J. Mahajan)

Joint Secretary to the Government of Maharashtra,
Home Department

JS(S) on tour,
DS(S),
19/9

Urgent pl.

R
20/9
20/9

21/9/05
NCB II



ENQ-0505/956/Pol-2

1623
5/8/05

No.DGP/15/68[B-3]/Nagpur City/296/05.

महाराष्ट्र राज्य पोलीस मुख्यालय

Maharashtra Rajya Police Mukhyalaya

शहिद भगतसिंग मार्ग, कोलाबा मुंबई ४०० ०३९

Shahid Bhagatsingh Marg, Colaba,

Mumbai 400 039.

Dt. 31/8/2005.

To.

Addl.Chief Secretary,
Government of Maharashtra,
Home Department, Mantralaya,
Mumbai.

[Attention :- Shri Prashant Sajanikar, Desk Officer, I.L.D.]

Ref. :- G.L.H.D. No. ENQ-0505/956/Pol-2. Dt.16/5/05.

Sub :- Application made by Hon. M.P.Shri Hansraj Ahir
against Shri Abdur Raheman the then S.P Chandrapur.

The complaint application made by the Hon.M.P.Shri Hansraj Ahir dt 13/4/05 in connection with the increading illicit scrap thefts,selling of illicit meat of animals in Chandrapur Dist. The said application also includes the paper cutting of the press conference taken by Shri Abdur Raheman the then S.P. Chandrapur.

On receipt of the said complaint application the enquiry was entrusted to Spl.I.G.P. Nagpur Range, Nagpur. Accordingly the Spl I.G.P. has himself conducted an enquiry and has submitted his report which is as under -

"As the M.P. Shri Ahir received several complaints from the public about the increase in the thefts of scrap material including the house hold articles and building material and also about the theft of animals and their unauthorized slaughter, he issued a public statement on 09/04/2005 mentioning these facts and asking the police to take preventive measures. This statement was published in some local newspapers on 11/04/2005 very prominently (copies of two press cutting enclosed). On 11/04/2005 itself the S.P. held a press coference in

some other connection i.e. for apprising the press and the public about the measures the police had taken to check the pilferage of coal from the coal-mines and the illegal transport of liquor to the adjoining districts where prohibition was in force. In the same press conference some correspondents raised the issue of the M.P.'s public statement concerning the scrap theft, animals theft and unauthorized slaughter. The S.P. replied that the M.P. should have first informed the police about the complaints received by him and if no action was taken then he could have issued the public statement (copies of three press cuttings enclosed.) The S.P. has also admitted this fact in his report submitted to this office in this regard (copy of the report is enclosed.)

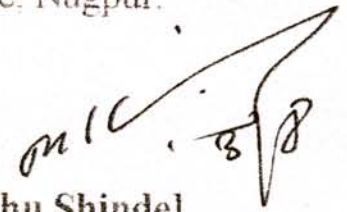
I discussed this matter with the M.P. Shri Ahir also. He stated that he had given a letter to the S.P. on 16/03/2005 (copy enclosed) regarding the same issue, but as there was no tangible improvement in the situation he issued a public statement on 10/04/2005 (copy enclosed) and gave another letter to the S.P. on the same day. He further contended, that even if he had not given a letter to the S.P. it was within his rights to issue such public statement based on the complaints received from the public and that it was not binding on him to give a prior intimation to the S.P. before issuing any public statement and as such the remarks of the S.P. concerning his statement are uncalled for the outrageous

8T | He, however, expressed his satisfaction that the S.P. Shri Abdur Rehman had been transferred out of the district and suggested that he be suitably warned so that he should not commit such mistakes in future

It is thus seen that the M.P. Shri Hanstaj Ahir had brought certain grievances of the public to the notice of the S.P. Chandrapur through his letter dated 16/03/2005, but as according to him there was no improvement in the situation, he issued a public statement on 10/04/2005

appealing the police to take immediate corrective measures. The S.P. Shri Abdur Rehman appeared to be of the view that he had detected many cases since he had assumed office and had also been taking preventive actions to check the incidents of thefts and unauthorized slaughter. He may be correct also. But his remarks concerning the M.P.'s public statement were uncalled for to say the least. Therefore, action as deemed fit may be taken against him."

A copy of the report is enclosed herewith in agreement with the recommendations of the Spl.I.G.P. Nagpur Range, Nagpur.



[Madhu Shinde]

Spl. Inspector General of Police [Admin]
For Director General of Police

Confidential :

No.NR/D-I/AR-SP/Enq/2005/182
Office of the Spl.I.G.of Police,
Nagpur Range, Nagpur.
Dated 27th June, 2005.

To

✓ The Addl.Director-General of Police,
(Law and Order),
Maharashtra State,
Mumbai.

Ref. : Addl.D.G.P.(L&O)'s D.O.letter No.DGP/XV/68/
B-3/N'pur/296/05 dated 21/04/2005. p-41c

Sub. : Enquiry into the allegations made against Shri Abdur Rehman,
the then Supdt.of Police, Chandrapur by Hon.M.P.Shri Hansraj
Ahir.

-X-X-

✓ The Member of Parliament Shri Hansraj Ahir has alleged that the then S.P. Chandrapur Shri Abdur Rehman criticized him in a press conference and made some uncalled for remarks concerning his role as a peoples' representative for his (M.P's) issuing a public statement appealing the police to take immediate corrective measures in view of the increase in the thefts of scrap material and animals and in the unauthorized slaughter of animals and has demanded a suitable action against the S.P., as the latter's action amounts to breach of privilege of a peoples' representative.

This matter was inquired into by me personally. The findings of my inquiry are as given below.

As the M.P. Shri Ahir received several complaints from the public about the increase in the thefts of scrap materials including the house hold articles and building material and also about the theft of animals and their unauthorized

- 91 -

slaughter, he issued a public statement on 09/04/2005 mentioning these facts and asking the police to take preventive measures. This statement was published in some local newspapers on 11/04/2005 very prominently (copies of two press cuttings enclosed). On 11/04/2005 itself the S.P. held a press conference in some other connection i.e. for apprising the press and the public about the measures the police had taken to check the pilferage of coal from the coal-mines and the illegal transport of liquor to the adjoining districts where prohibition was in force. In the same press conference some correspondents raised the issue of the M.P.'s public statement concerning the scrap theft, animal theft and unauthorized slaughter. The S.P. replied that the M.P. should have first informed the police about the complaints received by him and if no action was taken then he could have issued the public statement (copies of three press cuttings enclosed). The S.P. has also admitted this fact in his report submitted to this office in this regard (copy of the report is enclosed).

I discussed this matter with the M.P. Shri Ahir also. He stated that he had given a letter to the S.P. on 16/03/2005 (copy enclosed) regarding the same issue; but as there was no tangible improvement in the situation he issued a public statement on 10/04/2005 (copy enclosed) and gave another letter to the S.P. on the same day. He further contended, that even if he had not given a letter to the S.P. it was within his rights to issue such public statement based on the complaints received from the public and that it was not binding on him to give a prior intimation to the S.P. before issuing any public statement and as such the remarks of the S.P. concerning his statement are uncalled for and outrageous.

He, however, expressed his satisfaction that the S.P. Shri Abdur Rehman had been transferred out of the district and suggested that he be suitably warned so that he should not commit such mistakes in future.

~~92~~ - 92 -

31
39

It is, thus, seen that the M.P. Shri Handraj Ahir had brought certain grievances of the public to the notice of the S.P. Chandrapur through his letter dated 16/03/2005, but as according to him there was no improvement in the situation, he issued a public statement on 10/04/2005 appealing the police to take immediate corrective measures. The S.P. Shri Abdur Rehman appeared to be of the view that he had detected many cases since he had assumed office and had also been taking preventive actions to check the incidents of thefts and unauthorized slaughter. He may be correct also. But his remarks concerning the M.P's public statement were uncalled for to say the least. Therefore, action as deemed fit may be taken against him.

Encl : 8 as above

S.M.

(S.M.Mushrif)

Spl.Inspector-General of Police,
Nagpur Range, Nagpur.

93-2-2310/PS(S)/105
32

JUSTICE MUKHERJEE COMMISSION OF INQUIRY
FOR INQUIRY INTO THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE.
'B' Block, (Third Floor)
11/A Mirza Ghalib Street, Kolkata-700087

Phone:
Chairman - 2252-2885
Secretary - 2252-2767
Officer on
Special Duty - 2252-2765
Office - 2252-2766/68

FAX : 033 2252-2765

e-mail : jmcinscb@cal3.vsnl.net.in

No. JMCI/Meeting-Hearing/99-2000/57(V)/ 135 (75)

September 20, 2005

From :
Shri M. Roy, IAS (Retd.)
Secretary

To

All Deponents

5986/PS(S)/105
23/9

Dear Sir,

I am directed to inform you that the Commission will hold its next sitting on 06.10.2005 starting at 11.00 AM at the Seminar Hall, Annexe Building, Mahajati Sadan, 166, Chittaranjan Avenue, Kolkata-700007, when the Commission will discuss and deliberate upon the outcome of the visit of the Commission to Russian Federation for holding its enquiry there.

Yours faithfully,



(M. Roy)
Secretary

B(S)
23/9
HSCA

No. JMCI/Meeting-Hearing/99-2000/57(V)/135 (75)/1(2)

September 20, 2005

Copy forwarded to :

1. Mr. Tarakeswar Pal, Learned Senior Counsel, Government of India, 33, Asoke Avenue, Kolkata 700040.
2. Ms. Abha (Datta) Roy, Learned Counsel for the Govt. of West Bengal; F-4, Cluster XI, Purbachal Housing, Salt Lake City, Kolkata 700091

(M. Roy)
Secretary

94
MHA

Pl. provide one copy of
Manual of Departmental Security
Instructions for Sh. ~~Vikram~~ Vikram
Dev Dutt, Staff Officer to H.S.

am 23/9/25
(Indu Masand)
PS / so to HS

Sh. S.K. Ghaswami,
US (Arms), MHA

Recd
1 copy
Along

September 15, 2003

To:

Shri M. Roy
Officer on Special Duty
Justice Mukherjee Commission of Inquiry
(For Inquiry into the Alleged disappearance of
Netaji Subhas Chandra Bose)
'B' Block (Third Floor)
11/A, Mirza Ghalib Street
Kolkata 700 087.

**Subject: Forwarding of files of Khosla Commission
to JMCI as requisitioned by them.**

Sir,

I am directed to refer to the JMCI, Kolkata's letters No. JMCI/Meeting-Proceedings (Follow-up)/99-2000/48 (IV)/212 dated 22 August '03 and JMCI/Meeting-Proceedings (Follow-up)/99-2000/48 (IV)/21957 dated 8 September '03 on the above subject and to send herewith through Mr. S.N. Singh, Section Officer (JMCI's), New Delhi office, 21 files as per details given below:-

Sl.No.	File No.
01. ✓	4/46/70-NC ✓ S.No. 7
02. ✓	4/15/70-NC ✓ S.No. 12
03. ✓	4/16(a)/70-NC ✓ S.No. 14
04. ✓	3/13/73-NC(b) S.No. 1
05. ✓	3/13/73-NC S.No. 121
06. ✓	3/11/71-NIC S.No. 136
07. ✓	3/12/71-NIC S.No. 137
08. ✓	4/5 (c)/70-NC ✓ S.No. 5
09. ✓	4/17 (f)/70-NC ✓ S.No. 22
10. ✓	4/13 (a)/70-NC ✓ S.No. 27
11. ✓	4/22/70-NIC ✓ S.No. 29
12. ✓	4/13/70-NIC ✓ S.No. 30
13. ✓	4/30/70-NIC S.No. 31
14. ✓	4/20/70-NIC ✓ S.No. 32
15. ✓	4/28/70-NIC S.No. 32
16. ✓	4/29/70-NIC S.No. 34
17. ✓	4/31/70-NIC S.No. 35
18. ✓	4/52/70-NC S.No. 36
19. ✓	4/4/70-NC S.No. 40
20. ✓	4/49/70-NC S.No. 45
21. ✓	* KWP of 3/13/73-NC (b) Vol. IV S.No. 128

→ S.S. Zaman's Affidavit -
3/11/70.

2. It is seen that some files mentioned in the earlier letter dated 22.8.03 are repeated in the subsequent letter dated 8.9.03. Both the letters read together make 21 files in all which are being sent as desired. The receipt of these files may be acknowledged through Mr. S.N. Singh.

Recd. (21) files
S.N. Singh
15.9.2003

Yours faithfully,

(Signature)
(UMESH KUMAR KALRA)
Director

1079

Government of India
MINISTRY OF HOME AFFAIRS

Dated: 4.9.2003

To:

Shri. M. Roy
Officer on Special Duty
Justice Mukherjee Commission of Inquiry
(For Inquiry into the Alleged disappearance of
Netaji Subhas Chandra Bose)
'B' Block (Third Floor)
11/A Mirza Ghalib Street
Kolkata 700 087.

**Subject: Forwarding of files of Khosla Commission
to JMCI as requisitioned by them.**

....

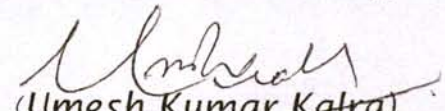
Sir,

I am directed to refer to your letter No. JMCI/Meeting-Proceedings
(Follow-Up)/99-2000/48(IV)/211 dated 22.8.2003 on the above subject
and to forward herewith through Mr. S.N. Singh, Section Officer (JMCI),
New Delhi, the following seven files in original as desired:-

Sl. No.	File No.	Subject
1.	4/46/70-NC	Calcutta, Sapt. S.S. Zaman
2.	4/15/70-NC	Statement from persons residing in Assam.
3.	4/16(a)/70-NC	Col. Dr. B.R. Ramachandra Rao
4.	3/13/73-NC(b)	Visit to Formosa – Financial matters regarding.
5.	3/13/73-NC	Proposed visit of the Commission to Formosa.
6.	3/11/71-NIC	Proposed visit to Rangoon, Saigon, Bangkok, Singapur, etc. – list of witnesses, etc.
7.	3/12/71-NIC	Arrangements for recording of oral evidence at Panjim (Goa)

The receipt of these files may please be sent to this Ministry
through Mr. S.N. Singh.

Yours faithfully,


(Umesh Kumar Katra)
Director

04/9.

— ~~97~~ —

Ministry of Home Affairs
(PF-I Desk)

Sub:- **Winding up of the Commission – Disposal of office furniture, office Equipments, books etc – Regarding**

Enclosed find herewith a copy of letter No.12014/7/2005-NCB.II dtd 21st December 2005 received from Under Secretary NCB.II regarding disposal/transfer of office furniture, equipments, books etc of JMCI's offices at Kolkata & Delhi.

2. CPFs are requested to take further necessary action under intimation to this office.

DsG BSF/CRPF/CISF
UO No. II-27012/9/2005/PF-I 22nd December, 2005

M. Dilip Kumar
(M Dilip Kumar)
Desk Officer

Copy to:-

- ✓ 1. Sh S K Goswami, US, NCB.II., MHA
2. US (Prov-I), MHA

(Adm.)
22/12/2005

— 98 —

SENDING CONFIRMATION

DATE : 19-APR-2000 WED 14:49
NAME : NCB SECTION
TEL : 01124617196

PHONE : 24361202
PAGES : 3/3
START TIME : 19-APR 14:47
ELAPSED TIME : 02' 11"
MODE : G3
RESULTS : OK

FIRST PAGE OF RECENT DOCUMENT TRANSMITTED...

Ministry of Home Affairs
(PF-I Desk)

Sub:- Winding up of the Commission - Disposal of office furniture, office Equipments, books etc - Regarding

Enclosed find herewith a copy of letter No.12014/7/2005-NCB.II dated 21st December 2005 received from Under Secretary NCB.II regarding disposal/transfer of office furniture, equipments, books etc of JMCT's offices at Kolkata & Delhi.

2. CPFs are requested to take further necessary action under intimation to this office.

DsG BSE/CRPF/CISF
UO No. II-27012/9/2005/PF-I 22 December, 2005

M. Dilip Kumar
(M Dilip Kumar)
Desk Officer

Copy to:-

1. Sh S K Goswami, US, NCB.II., MHA
2. US (Prov-I), MHA

*copy to Sh. R. K. Sinha, AIG (Works),
C.I.S.F. for necessary action.*

*Sugawari
17/4/05*

— 99 —

38

Ministry of Home Affairs
Security Division

Based on the discussion on 2nd and 3rd August, 2006 in the Lok Sabha on Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose, replies to important points have been attempted and are placed below please..

B. Bhamathi
7/8/06

(B. Bhamathi)

Joint Secretary (Security)

Padmanabhan
7/8/06

AS(BM)

8/8/06

8/8/06

US(A)

9/8/06

Dr. No. 333/06-AS (BM)
SENT IN ... 7/8/06
SENT OUT ... 8/8/06

30 58/06 (S) 06
8/8

108

AUTHENTICATED
Shivraj V. Patil
SHIVRAJ V. PATIL
HOME MINISTER

**MEMORANDUM OF ACTION TAKEN ON THE REPORT
OF THE JUSTICE MUKHERJEE COMMISSION OF INQUIRY REGARDING
THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE**

By Government of India Notification No. S.O. 339(E) dated 14th May, 1999, Shri M.K. Mukherjee, retired Judge of the Supreme Court of India, was appointed under the Commissions of Inquiry Act, 1952, to inquire into all the facts and circumstances related to the disappearance of Netaji Subhas Chandra Bose in 1945 and subsequent developments connected therewith including –

- (a) whether Netaji Subhas Chandra Bose is dead or alive;
- (b) if he is dead, whether he died in the plane crash, as alleged;
- (c) whether the ashes in the Japanese temple are ashes of Netaji;
- (d) whether he has died in any other manner at any other place and, if so, when and how;
- (e) if he is alive, in respect of his whereabouts.

2. The Government have examined the Report submitted by the Commission on 8th November, 2005 in detail and have not agreed with the findings that -

- (a) Netaji did not die in the plane crash; and
- (b) the ashes in the Renkoji Temple were not of Netaji.

3. This Report is placed before the Houses as required under sub-section (4) of Section 3 of the Commissions of Inquiry Act, 1952.

— 101

AUTHENTICATED
Shivraj V. Pathi
SHIVRAJ V. PATHI
HOME MINISTER

STATEMENT OF REASONS FOR DELAY IN TABLING THE REPORT OF THE
JUSTICE MUKHERJEE COMMISSION OF INQUIRY INTO THE ALLEGED
DISAPPEARANCE OF NETAJI SUBHAS CHANDRA BOSE.

The Justice Mukherjee Commission of Inquiry was set up by the Government of India on 14th May, 1999 under the Commissions of Inquiry Act, 1952, to inquire into the alleged disappearance of Netaji Subhas Chandra Bose.

The Commission submitted its report on 8th November, 2005. As per the provision of Sub-section 4 of Section 3 of the Commissions of Inquiry Act, 1952, the Report submitted by the Commission is to be Tabled before each House of Parliament within a period of six months of the submission of the report by the Commission i.e. before 7th May, 2006..

The incidental delay has been occasioned by time taken in translation, printing, consideration of the report by the Government, its approval by the Cabinet and the adjournment of Parliament on 22nd March, 2006

- 102 -

No. 12014/8/2006-NCB.II

Government of India
Ministry of Home Affairs

Lok Nayak Bhavan, Khan Market,
New Delhi, dated: May 12, 2006.

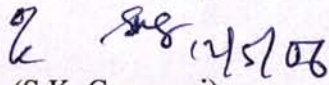
Shri S.S. Rawat,
Deputy Director,
Ministry of Home Affairs,
North Block,
New Delhi.

Sub: Hindi translation of A.T.R. and Statement of reasons for
delay in laying the report of JMCI – Request regarding.

Sir,

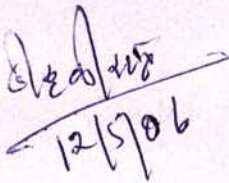
I am directed to enclose herewith the Action Taken Report and the
Statement of reasons for delay in tabling the Report of JMCI with request to
kindly translate the same into Hindi and deliver the same today itself.

Yours faithfully,



(S.K. Goswami)
Under Secretary

Encl: As above.



1-201-122

11/10/21 R: No 203

10/2/21

10/2/21

cab-464/H/17-103-2-2321/SSC/96/2
9/5/17

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11/5
3-5-06
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Dy. No. 1789/06-AS (BM)
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SENT OUT 10/5

No.19/CM/2006(i)
GOVERNMENT OF INDIA (BHARAT SARKAR)
CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)

New Delhi, the 8th May, 2006
18 Vaisakha 1928 (S)

Reference Cabinet Secretariat Memo of even number dated 7th May, 2006.

2. The meeting of the Cabinet scheduled to be held at **1100 hours, on Tuesday, the 9th May, 2006** has been postponed to **1915 hours, on Tuesday, the 9th May, 2006.**

3. The agenda and venue of the meeting remains unchanged.

HS on
tour.
Munshi
09/05/06 To
(K.L. Sharma)
Deputy Secretary(Cabinet)
Tele : 2301 5802

National Security Adviser.
Principal Secretary to the Prime Minister.
Principal Information Officer.

SS(IS) on tour
AS(BM)
Copy, forwarded to the following, who have sponsored the item(s), **with the request to be present at the venue of the meeting,** in respect of the item(s) mentioned against each :-

	Item(s)
Secretary, Ministry of Panchayati Raj.	} 1
Secretary, Department of Space.	} 2
Secretary, Ministry of Home Affairs.	} 3 & 4
Secretary, Ministry of Ocean Development.	} 5
Secretary, Department of Information Technology.	} 6
Secretary, Department of Telecommunications.	} 7
Secretary, Ministry of Environment and Forests.	} 8 & 9
Secretary, Legislative Department.	} 10

(K.L. Sharma)
Deputy Secretary(Cabinet)

Copy, also forwarded to the following, **with the request to be present at the venue of the meeting,** in respect of the item(s) mentioned against each:-

	Item(s)
Finance Secretary.	} 2, 3, 5, 8 & 10
Secretary, Department of Economic Affairs.	} 7
Secretary, Legislative Department.	} 7 & 9

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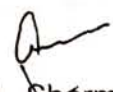
- 2 -

Secretary, Department of Legal Affairs.	} 4, 7, 9 & 10
Secretary, Department of Rural Development.	} 10
Secretary, Ministry of Development of North Eastern Region.	} 10
Secretary, Ministry of Panchayati Raj.	} 10
Secretary, Ministry of Tribal Affairs.	} 10


(K.L. Sharma)
Deputy Secretary(Cabinet)

Copy, also forwarded to the following, for information, in respect of the item(s) mentioned against each:-

	<u>Item(s)</u>
Secretary, Legislative Department.	} 1
Secretary, Department of Legal Affairs.	} 1
Secretary, Ministry of Home Affairs.	} 1, 5, 6, 9 & 10
Secretary, Ministry of Parliamentary Affairs.	} 1, 7 & 9
Member-Secretary, Planning Commission.	} 2, 5, 7, 8, 9 & 10
Secretary, Department of Science and Technology.	} 5
Secretary, Department of Administrative Reforms and Public Grievances.	} 6
Secretary, Department of Agriculture and Cooperation.	} 6
Secretary, Department of Commerce.	} 6
Secretary, Department of Economic Affairs.	} 6
Secretary, Department of Health and Family Welfare.	} 6
Secretary, Department of Industrial Policy and Promotion.	} 6
Secretary, Department of Personnel and Training.	} 6
Secretary, Department of Revenue.	} 6
Secretary, Department of Road Transport and Highways.	} 6
Secretary, Department of Rural Development.	} 6
Secretary, Department of Secondary and Higher Education.	} 6
Secretary, Ministry of Urban Development.	} 6
Secretary, Ministry of Company Affairs.	} 6
Secretary, Ministry of Labour and Employment.	} 6
Secretary, Ministry of Panchayati Raj.	} 6
Finance Secretary.	} 6 & 9
Foreign Secretary.	} 6 & 9
Secretary, Ministry of Defence.	} 9
Secretary, Ministry of Tribal Affairs.	} 9
Secretary, Department of Justice.	} 10
Secretary, Ministry of Social Justice and Empowerment.	} 10
Secretary, Ministry of Women and Child Development.	} 10


(K.L. Sharma)
Deputy Secretary(Cabinet)

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No. 19/CM/2006(i)

Dy. No. 1782/08-AS (BM)
SENT IN 9/5
SENT OUT 10/5

GOVERNMENT OF INDIA (BHARAT SARKAR)
CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)

New Delhi, the 8th May, 2006
18 Vaisakha 1928 (S)

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3. The agenda and venue of the meeting remains unchanged.

(K.L. Sharma)
Deputy Secretary (Cabinet)
Tele : 2301 5802

To
National Security Adviser.
Principal Secretary to the Prime Minister.
Principal Information Officer.

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Secretary, Ministry of Panchayati Raj.	} 1
Secretary, Department of Space.	} 2
Secretary, Ministry of Home Affairs.	} 3 & 4
Secretary, Ministry of Ocean Development.	} 5
Secretary, Department of Information Technology.	} 6
Secretary, Department of Telecommunications.	} 7
Secretary, Ministry of Environment and Forests.	} 8 & 9
Secretary, Legislative Department.	} 10

(K.L. Sharma)
Deputy Secretary (Cabinet)

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Finance Secretary.	} 2, 3, 5, 8 & 10
Secretary, Department of Economic Affairs.	} 7
Secretary, Legislative Department.	} 7 & 9

SECRET

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65 Copies.


.....2/-

- 106 -

SECRET


- 2 -

Secretary, Department of Legal Affairs.	} 4, 7, 9 & 10
Secretary, Department of Rural Development.	} 10
Secretary, Ministry of Development of North Eastern Region.	} 10
Secretary, Ministry of Panchayati Raj.	} 10
Secretary, Ministry of Tribal Affairs.	} 10


(K.L. Sharma)
Deputy Secretary(Cabinet)

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	<u>Item(s)</u>
Secretary, Legislative Department.	} 1
Secretary, Department of Legal Affairs.	} 1
Secretary, Ministry of Home Affairs.	} 1, 5, 6, 9 & 10
Secretary, Ministry of Parliamentary Affairs.	} 1, 7 & 9
Member-Secretary, Planning Commission.	} 2, 5, 7, 8, 9 & 10
Secretary, Department of Science and Technology.	} 5
Secretary, Department of Administrative Reforms and Public Grievances.	} 6
Secretary, Department of Agriculture and Cooperation.	} 6
Secretary, Department of Commerce.	} 6
Secretary, Department of Economic Affairs.	} 6
Secretary, Department of Health and Family Welfare.	} 6
Secretary, Department of Industrial Policy and Promotion.	} 6
Secretary, Department of Personnel and Training.	} 6
Secretary, Department of Revenue.	} 6
Secretary, Department of Road Transport and Highways.	} 6
Secretary, Department of Rural Development.	} 6
Secretary, Department of Secondary and Higher Education.	} 6
Secretary, Ministry of Urban Development.	} 6
Secretary, Ministry of Company Affairs.	} 6
Secretary, Ministry of Labour and Employment.	} 6
Secretary, Ministry of Panchayati Raj.	} 6
Finance Secretary.	} 6 & 9
Foreign Secretary.	} 6 & 9
Secretary, Ministry of Defence.	} 9
Secretary, Ministry of Tribal Affairs.	} 9
Secretary, Department of Justice.	} 10
Secretary, Ministry of Social Justice and Empowerment.	} 10
Secretary, Ministry of Women and Child Development.	} 10


(K.L. Sharma)
Deputy Secretary(Cabinet)

SECRET

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65 Copies.

107-

No. 12014/8/2006-NCB.II
Government of India
Ministry of Home Affairs

Lok Nayak Bhavan, Khan Market,
New Delhi, dated: May 12, 2006.

Shri S.S. Rawat,
Deputy Director,
Ministry of Home Affairs,
North Block,
New Delhi.

Sub: Hindi translation of A.T.R. and Statement of reasons for
delay in laying the report of JMCI – Request regarding.

Sir,

I am directed to enclose herewith the Action Taken Report and the
Statement of reasons for delay in tabling the Report of JMCI with request to
kindly translate the same into Hindi and deliver the same today itself.

Yours faithfully,

S.K. Goswami

(S.K. Goswami)
Under Secretary

Encl: As above.

Out today

12/5/06

श्री सुनील, 12/5/06

सुनील के

सुनील

12.5.06

सुनील (स.स.)

12/5/06

12/5/06

स.स. (II)

— 108 —

**MEMORANDUM OF ACTION TAKEN ON THE REPORT
OF THE JUSTICE MUKHERJEE COMMISSION OF INQUIRY
REGARDING THE ALLEGED DISAPPEARANCE OF
NETAJI SUBHAS CHANDRA BOSE**

By Government of India Notification No. S.O. 339(E) dated 14th May, 1999, Shri M.K. Mukherjee, retired Judge of the Supreme Court of India, was appointed under the Commissions of Inquiry Act, 1952, to inquire into all the facts and circumstances related to the disappearance of Netaji Subhas Chandra Bose in 1945 and subsequent developments connected therewith including –

- (a) whether Netaji Subhas Chandra Bose is dead or alive;
- (b) if he is dead, whether he died in the plane crash, as alleged;
- (c) whether the ashes in the Japanese temple are ashes of Netaji;
- (d) whether he has died in any other manner at any other place and, if so, when and how;
- (e) if he is alive, in respect of his whereabouts.

2. The Government have examined the Report submitted by the Commission on 8th November, 2005 in detail and have not agreed with the findings that -

- (a) Netaji did not die in the plane crash; and
- (b) the ashes in the Renkoji Temple were not of Netaji.

3. This Report is placed before the Houses as required under sub-section (4) of Section 3 of the Commissions of Inquiry Act, 1952.

- 109 -

No.14011/19/2005-Delhi-I
Government of India/Bharat Sarkat
Ministry of Home Affairs/Grih Mantralay

North Block, New Delhi
Dated the ...5. August, 2005

OFFICE MEMORANDUM

Sub: Laying of Report of Justice Nanavati Commission of Inquiry into 1984 riots and Memorandum of Action Taken thereon on the Table of Rajya Sabha.

The undersigned is directed to forward herewith the following documents in connection with laying of the Report of Justice Nanavati Commission of Inquiry into 1984 riots along with Memorandum of Action Taken thereon on the Table of Rajya Sabha on 8th August, 2005:

- (i) One authenticated copy each of the Report of Justice Nanavati Commission of Inquiry into 1984 riots and the Memorandum of Action Taken thereon both in Hindi and English;
- (ii) 21 copies each of the Report and the Memorandum of Action Taken thereon both in Hindi and English for laying on the Table of the House;
- (iii) One copy of the duly filled in proforma to be attached to the Office Memorandum forwarding papers to be laid on the Table of the Rajya Sabha.

2. The name, designation and telephone numbers of the officer from whom additional copies of the documents could be obtained, if required, are indicated below:

I.B. Karn
Director (Delhi)
Ministry of Home Affairs,
North Block, New Delhi-110001.
Telephone: 23092670 (office)
24678921 (residence)


4. The receipt of the documents may kindly be acknowledged.

Issued vide Pan Bole No. 1


(I.B. Karn)
Director (Delhi)
Tel/Fax: 23092670

Table Office,
Rajya Sabha Secretariat,
Parliament House, New Delhi.

Copy forwarded for information and necessary action to Parliament Section, Ministry of Home Affairs.


(I.B. Karn)
Director (Delhi)

PROFORMA TO BE ATTACHED WITH THE OFFICE
MEMORANDUM FORWARDING PAPERS TO BE
LAIED ON THE TABLE OF LOK SABHA/RAJYA SABHA

1.	Brief purpose of the notification or paper to be laid on the Table.	:	Report of Justice Nanavati Commission of Enquiry into 1984 riots.
2.	Statutory or other requirement under which the papers are to be laid on the Table.	:	Statutory requirement.
	(I) In the case of Central Government Notification, name of the Act and section, which provides for laying, should be clearly stated	:	Sub-section 4 of the Section 3 of the Commission of Enquiry Act, 1952.
	(II) In the case of State Government Notification the laying provision in the State Act should be reproduced.	:	N.A.
3.	Whether published in the Gazette and if so	:	No.
	(I) GSR/SOSRO Number	:	N.A.
	(II) Date and Part and Section of the Gazette.	:	N.A.
4.	Whether subject to modification by House.	:	No.
5.	Period specified in the Principal Act for which two or more successive	:	Within six months of the date of submission of the Report.
6.	Whether it has been previously laid on the Table of the House and if so, on what date.	:	No.
7.	Whether Hindi or English versions are being laid together if not, the date on which the English version was laid.	:	Yes.
8.	Date on which proposed to be laid on the Table.		8 th August, 2005

it is reqd to be laid

Signature :
Name : T.D.Chhabra
Designation : UNDER SECRETARY

[illegible]

JS (3) Leon Book no 11/05-06

112 —

No.14011/19/2005-Delhi-I
Government of India/Bharat Sarkat
Ministry of Home Affairs/Grih Mantralay

North Block, New Delhi
Dated the 5th August, 2005

OFFICE MEMORANDUM

Sub: Laying of Report of Justice Nanavati Commission of Inquiry into 1984 riots and Memorandum of Action Taken thereon on the Table of Lok Sabha.

The undersigned is directed to forward herewith the following documents in connection with laying of the Report of Justice Nanavati Commission of Inquiry into 1984 riots along with Memorandum of Action Taken thereon on the Table of Lok Sabha on 8th August, 2005:

- (i) One authenticated copy each of the Report of Justice Nanavati Commission of Inquiry into 1984 riots and the Memorandum of Action Taken thereon both in Hindi and English;
- (ii) 35 copies each of the Report and the Memorandum of Action Taken thereon both in Hindi and English for laying on the Table of the House;
- (iii) One copy of the duly filled in proforma to be attached to the Office Memorandum forwarding papers to be laid on the Table of the Lok Sabha.

2. The name, designation and telephone numbers of the officer from whom additional copies of the documents could be obtained, if required, are indicated below:

I.B. Karn
Director (Delhi)
Ministry of Home Affairs,
North Block, New Delhi-110001.
Telephone: 23092670 (office)
24678921 (residence)

3. The receipt of the documents may kindly be acknowledged.

Issued vide Peon B.O. No. 4 (2005)
Delhi Desk I

(I.B. Karn)
Director (Delhi)
Tel/Fax: 23092670

Table Office,
Lok Sabha Secretariat,
Parliament House, New Delhi.

Copy forwarded for information and necessary action to Parliament Section, Ministry of Home Affairs.

o/c

o/c

(I.B. Karn)
Director (Delhi)

- 113 -

(24852)

PROFORMA TO BE ATTACHED WITH THE OFFICE
MEMORANDUM FORWARDING PAPERS TO BE
LAI D ON THE TABLE OF LOK SABHA/RAJYA SABHA

1.	Brief purpose of the notification or paper to be laid on the Table.	:	Report of Justice Nanavati Commission of Enquiry into 1984 riots.
2.	Statutory or other requirement under which the papers are to be laid on the Table.	:	Statutory requirement.
	(I) In the case of Central Government Notification, name of the Act and section, which provides for laying, should be clearly stated	:	Sub-section 4 of the Section 3 of the Commission of Enquiry Act, 1952.
	(II) In the case of State Government Notification the laying provision in the State Act should be reproduced.	:	N.A.
3.	Whether published in the Gazette and if so	:	No.
	(I) GSR/SOSRO Number	:	N.A.
	(II) Date and Part and Section of the Gazette.	:	N.A.
4.	Whether subject to modification by House.	:	No.
5.	Period specified in the Principal Act for which two or more successive.	:	Within six months of the date of submission of the Report.
6.	Whether it has been previously laid on the Table of the House and if so, on what date.	:	No.
7.	Whether Hindi or English versions are being laid together if not, the date on which the English version was laid.	:	Yes.
8.	Date on which proposed to be laid on the Table.	:	8 th August, 2005

Signature : *T.D. Chhabra*
Name : T.D. Chhabra
Designation : UNDER SECRETARY

5/8/05

Lok Nayak Bhavan, Khan Market,
New Delhi, dated: May 15, 2006.

OFFICE MEMORANDUM

Sub: Laying of Report of the Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose and Memorandum of Action Taken thereon on the Table of Lok Sabha.


The undersigned is directed to forward herewith the following documents in connection with laying of the Report of the Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose along with Memorandum of Action Taken thereon on the Table of Lok Sabha on 17th May, 2006 :-

- Land delay Statement
- One authenticated copy each of the Report of the Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose and the Memorandum of Action Taken thereon both in Hindi and English;
 - Thirty-five (35) copies each of the report and the Memorandum of Action Taken thereon both in Hindi and English for laying on the Table of the House;
 - One copy of the duly filled in proforma to be attached to the Office Memorandum forwarding papers to be laid on the Table of the Lok Sabha.

The name, designation and telephone numbers of the officer from whom additional copies of the documents could be obtained, if required, are indicated below :-

S.K. Goswami, Under Secretary, Ministry of Home Affairs,
Lok Nayak Bhavan, Khan Market, New Delhi.
Telephone No. 2461-0466

The receipt of the documents may kindly be acknowledged.


(S.C. Bardhan)

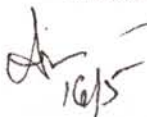
Officer on Special Duty (Security)
Tel. No. 2469-7124

Table Office,
Lok Sabha Secretariat,
Parliament House, New Delhi.



Copy forwarded for information and necessary action to Parliament Section,
MHA, North Block, New Delhi.

Parliament Section, MHA, North Block.


16/5



- 115 -

No. 12014/8/2006-NCB.II

Government of India
Ministry of Home Affairs

Lok Nayak Bhavan, Khan Market,
New Delhi, dated: May 15, 2006.

OFFICE MEMORANDUM

Sub: Laying of Report of the Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose and Memorandum of Action Taken thereon on the Table of Lok Sabha.

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S.K. Goswami, Under Secretary, Ministry of Home Affairs,
Lok Nayak Bhavan, Khan Market, New Delhi.
Telephone No. 2461-0466

The receipt of the documents may kindly be acknowledged.

% Se
(S.C. Bardhan)

Officer on Special Duty (Security)
Tel. No. 2469-7124

Table Office,
Lok Sabha Secretariat,
Parliament House, New Delhi.

S. 16/5/06

Copy forwarded for information and necessary action to Parliament Section,
MHA, North Block, New Delhi.
Parliament Section, MHA, North Block.

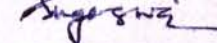
16/5

% Se

116-

PROFORMA TO BE ATTACHED WITH THE OFFICE MEMORANDUM
FORWARDING PAPERS TO BE LAID ON THE TABLE OF LOK SABHA/RAJYA
SABHA

1.	Brief purpose of notification or paper to be laid on the Table.	:	Report of the Justice Mukherjee Commission of Inquiry in the alleged disappearance of Netaji Subhas Chandra Bose.
2.	Statutory or other requirement under which the papers are to be laid on the Table	:	Statutory requirement.
	(I) In the case if Central Government Notification, name of the Act and Section, which provides for laying, should be clearly stated	:	Sub-section 4 of Section 3 of the Commissions of Inquiry Act, 1952.
	(II) In the case of State Government Notification, the laying provision in the State Act should be reproduced.	:	N.A.
3.	Whether published in the Gazette and if so	:	No.
	(I) GSR/SOSRO Number	:	N.A.
	(II) Date and Part and Section of the Gazette	:	N.A.
4.	Whether subject to modification by House	:	No.
5.	Period specified in the Principal Act for which it is required to be laid	:	Within six months of the date of submission of the Report.
6.	Whether it has been previously laid on the Table of the House and if so, on what date.	:	No.
7.	Whether Hindi and English versions are being laid together. If not, the date on which the English version was laid.	:	Both Hindi and English versions are being laid together.
8.	Date on which proposed to be laid on the Table.	:	17 th May 2006.

Signature : 
Name : S.K. Goswami
Designation : Under Secretary

— 117 —
No. 12014/8/2006-NCB.II

Government of India
Ministry of Home Affairs

Lok Nayak Bhavan, Khan Market,
New Delhi, dated: May 15, 2006.

OFFICE MEMORANDUM

Sub: Laying of Report of the Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose and Memorandum of Action Taken thereon on the Table of Rajya Sabha.

The undersigned is directed to forward herewith the following documents in connection with laying of the Report of the Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose along with Memorandum of Action Taken thereon on the Table of Rajya Sabha on 17th May, 2006 :-

- and delay statement*
- One authenticated copy each of the Report of the Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose and the Memorandum of Action Taken thereon both in Hindi and English;
 - Twenty-one (21) copies each of the report and the Memorandum of Action Taken thereon both in Hindi and English for laying on the Table of the House;
 - One copy of the duly filled in proforma to be attached to the Office Memorandum forwarding papers to be laid on the Table of the Rajya Sabha.

The name, designation and telephone numbers of the officer from whom additional copies of the documents could be obtained, if required, are indicated below :-

S.K. Goswami, Under Secretary, Ministry of Home Affairs,
Lok Nayak Bhavan, Khan Market, New Delhi.
Telephone No. 2461-0466

The receipt of the documents may kindly be acknowledged.

SK
16/5

SC
16/5

(S.C. Bardhan)
Officer on Special Duty (Security)
Tel. No. 2469-7124

Table Office,
Rajya Sabha Secretariat,
Parliament House, New Delhi.

Copy forwarded for information and necessary action to Parliament Section,
MHA, North Block, New Delhi.

Parliament Section, MHA, North Block.

PROFORMA TO BE ATTACHED WITH THE OFFICE MEMORANDUM
FORWARDING PAPERS TO BE LAID ON THE TABLE OF LOK SABHA/RAJYA
SABHA

1.	Brief purpose of notification or paper to be laid on the Table.	:	Report of the Justice Mukherjee Commission of Inquiry in the alleged disappearance of Netaji Subhas Chandra Bose.
2.	Statutory or other requirement under which the papers are to be laid on the Table	:	Statutory requirement.
	(I) In the case if Central Government Notification, name of the Act and Section, which provides for laying, should be clearly stated	:	Sub-section 4 of Section 3 of the Commissions of Inquiry Act, 1952.
	(II) In the case of State Government Notification, the laying provision in the State Act should be reproduced.	:	N.A.
3.	Whether published in the Gazette and if so	:	No.
	(I) GSR/SOSRO Number	:	N.A.
	(II) Date and Part and Section of the Gazette	:	N.A.
4.	Whether subject to modification by House	:	No.
5.	Period specified in the Principal Act for which it is required to be laid	:	Within six months of the date of submission of the Report.
6.	Whether it has been previously laid on the Table of the House and if so, on what date.	:	No.
7.	Whether Hindi and English versions are being laid together. If not, the date on which the English version was laid.	:	Both Hindi and English versions are being laid together.
8.	Date on which proposed to be laid on the Table.	:	17 th May 2006.

Signature : *S.K. Goswami*
Name : S.K. Goswami
Designation : Under Secretary

- 119 -

No. 12014/8/2006-NCB.II

Government of India
Ministry of Home Affairs

Lok Nayak Bhavan, Khan Market,
New Delhi, dated: May 17, 2006.

OFFICE MEMORANDUM

Sub: Laying of the Report of Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose in Lok Sabha – Regarding.

The undersigned is directed to forward herewith the following documents in connection with the laying of the Report of the Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose for necessary action –

- | | | | |
|------|--|---|-----------------------|
| i) | Action Taken Report | : | 450 copies in English |
| ii) | -do- | : | 250 copies in Hindi |
| iii) | Statement of reasons for delay in tabling the Report | : | 450 copies in English |
| iv) | -do- | : | 250 copies in Hindi |

The receipt of the copies may kindly be acknowledged.

% S.K. Goswami 17/5/06

(S.K. Goswami)

Under Secretary

The Director,
Distribution Branch (Publication Counter),
Lok Sabha Secretariat,
New Delhi.

Copy to Parliament Section, MHA, North Block, New Delhi.

Received.
at 17/5/06

at 1035 hrs
18/5/06

120
No. 12014/8/2006-NCB.II

Government of India
Ministry of Home Affairs

Lok Nayak Bhavan, Khan Market,
New Delhi, dated: May 17, 2006.

OFFICE MEMORANDUM

Sub: Laying of the Report of Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose in Rajya Sabha – Regarding.

The undersigned is directed to forward herewith the following documents in connection with the laying of the Report of the Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose for necessary action –

- | | | | |
|------|--|---|-----------------------|
| i) | Action Taken Report | : | 250 copies in English |
| ii) | -do- | : | 100 copies in Hindi |
| iii) | Statement of reasons for delay in tabling the Report | : | 250 copies in English |
| iv) | -do- | : | 100 copies in Hindi |

The receipt of the copies may kindly be acknowledged.

of Sec
17/5/06
(S.K. Goswami)
Under Secretary

The Under Secretary (L),
Publication Counter, Room No. 26-A,
Rajya Sabha Secretariat,
New Delhi.

Copy to Parliament Section, MHA, North Block, New Delhi.

18/5/06
1035
18-5-06

121-

No. 12014/8/2006-NCB.II
Government of India
Ministry of Home Affairs

Lok Nayak Bhavan, Khan Market,
New Delhi, dated: May 17, 2006.

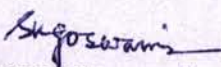
OFFICE MEMORANDUM

Sub: Laying of the Report of Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose in Rajya Sabha – Regarding.

The undersigned is directed to forward herewith the following documents in connection with the laying of the Report of the Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose for distribution among the Hon'ble Members of Parliament –

The report of JMCI in three volumes :	250 copies in English
(Vol. I, Vol. IIA and Vol. IIB)	100 copies in Hindi

The receipt of the copies may kindly be acknowledged.


(S.K. Goswami)
Under Secretary

The Under Secretary (L),
Publication Counter, Room No. 26-A,
Rajya Sabha Secretariat,
New Delhi.

✓
Copy forwarded for information to Parliament Section,
MHA, North Block, New Delhi.

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No.19/CM/2006(i)
GOVERNMENT OF INDIA (BHARAT SARKAR)
CABINET SECRETARIAT (MANTRIMANDAL SACHIVALAYA)

New Delhi, 12th the May, 2006
22 Vaisakha 1928 (S)

The undersigned is directed to circulate herewith the minutes of the meeting of the Cabinet held on 9th May, 2006 (Case Nos.161/19/2006 to 173/19/2006).

(K.L. Sharma)
Deputy Secretary(Cabinet)
Tele : 2301 5802

To
Principal Secretary to the Prime Minister.

Copy, with a copy of the relevant minutes, forwarded to the following, in respect of the case(s) mentioned against each :-

	Case No.(s)
Secretary, Ministry of Home Affairs.	} 161, 163, 164, 165, 166, 169, 170, 172 & 173
Secretary, Department of Legal Affairs.	} 161, 164, 167, 169, 170, 171, 172 & 173
Secretary, Ministry of Panchayati Raj.	} 161, 166 & 170
Secretary, Legislative Department.	} 161, 167, 169, 170, 171, 172 & 173
Secretary, Ministry of Parliamentary Affairs.	} 161, 167, 169, 171, 172 & 173
Secretary, Department of Space.	} 162
Finance Secretary.	} 162, 163, 165, 166, 168, 169 & 170
Member-Secretary, Planning Commission.	} 162, 165, 167, 168, 169 & 170
Secretary, Ministry of Ocean Development.	} 165
Secretary, Department of Science and Technology.	} 165
Secretary, Department of Information Technology.	} 166
Secretary, Department of Agriculture and Cooperation.	} 166
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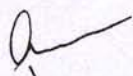
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Secretary, Department of Secondary and Higher Education.	} 166
Secretary, Department of Road Transport and Highways.	} 166
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Secretary, Ministry of Labour and Employment.	} 166
Secretary, Department of Health and Family Welfare.	} 166
Secretary, Department of Economic Affairs.	} 166 & 167
Foreign Secretary.	} 166 & 169
Secretary, Department of Rural Development.	} 166 & 170
Secretary, Ministry of Urban Development.	} 166 & 173
Secretary, Department of Telecommunications.	} 167
Secretary, Ministry of Environment and Forests.	} 168 & 169
Secretary, Department of Defence.	} 169
Secretary, Ministry of Tribal Affairs.	} 169 & 170
Secretary, Department of Justice.	} 170
Secretary, Ministry of Social Justice and Empowerment.	} 170
Secretary, Ministry of Development of North Eastern Region.	} 170
Secretary, Ministry of Women and Child Development.	} 170
Secretary, Ministry of Textiles.	} 171


(K.L. Sharma)
Deputy Secretary(Cabinet)

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No. 19/CM/2006

CABINET SECRETARIAT

EXTRACTS FROM THE MINUTES OF THE MEETING
OF THE CABINET HELD AT 1915 HOURS, ON
TUESDAY, 9TH MAY, 2006, IN PANCHVATI, 7, RACE
COURSE ROAD, NEW DELHI.

Case No.164/19/2006

Item 4

Report of Justice Mukherjee Commission of
Inquiry on the alleged disappearance of Netaji
Subhas Chandra Bose - Action Taken Report.

The Cabinet considered the note dated 04.05.2006 from the Ministry of Home Affairs (Grih Mantralaya) and:

- (i) observed that the Commission's inquiry was inconclusive in many ways, unable to provide a definitive finding on several issues and at variance with past well accepted Inquiry Commissions' findings in some critical areas; and
- (ii) directed that in the light of (i) above, the Action Taken Report specifically mention that Government did not agree with the findings that:
 - (a) Netaji did not die in the plane crash; and
 - (b) the ashes in the Renkoji Temple were not of Netaji's.

SECRET

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In accordance with the Rules of Procedure in Regard to Proceedings of the Cabinet (Rule 10), progress of action to implement the decision may be included in the Ministry's Monthly Summary for the information of the Members of the council of Ministers.

Action taken to implement the decision may be communicated to the Cabinet Secretariat with reference to the Implementation Schedule attached to the agenda note.

125-
SECRET

Copy No. 02

No. 19/CM/2006

CABINET SECRETARIAT

EXTRACTS FROM THE MINUTES OF THE MEETING
OF THE CABINET HELD AT 1915 HOURS, ON
TUESDAY, 9TH MAY, 2006, IN PANCHVATI, 7, RACE
COURSE ROAD, NEW DELHI.

Case No.166/19/2006

Item 6

Approach & Key Components of National e-
Governance Plan (NeGP)

Postponed.

20

→ ~~126~~ —

No. 12014/8/2006-NCB.II
Government of India
Ministry of Home Affairs

Lok Nayak Bhavan, Khan Market,
New Delhi, dated: May 17, 2006.

OFFICE MEMORANDUM

Sub: Laying of the Report of Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose in Lok Sabha – Regarding.

The undersigned is directed to forward herewith the following documents in connection with the laying of the Report of the Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose for distribution among the Hon'ble Members of Parliament –

The report of JMCI in three volumes : (Vol. I, Vol. IIA and Vol. IIB)	450 copies in English 250 copies in Hindi
--	--

The receipt of the copies may kindly be acknowledged.

2 *Aug 17/5/06*
(S.K. Goswami)
Under Secretary

The Director,
Distribution Branch (Publication Counter),
Lok Sabha Secretariat,
New Delhi.

Copy forwarded for information to Parliament Section,
MHA, North Block, New Delhi.

Received by following persons.
1- J: MHA - 420, MHA (A) 360 MHA (C) 450
2- MHA (B) 210 MHA (D) 210 MHA (E) 210 MHA (F) 210 MHA (G) 210 MHA (H) 210 MHA (I) 210 MHA (J) 210 MHA (K) 210 MHA (L) 210 MHA (M) 210 MHA (N) 210 MHA (O) 210 MHA (P) 210 MHA (Q) 210 MHA (R) 210 MHA (S) 210 MHA (T) 210 MHA (U) 210 MHA (V) 210 MHA (W) 210 MHA (X) 210 MHA (Y) 210 MHA (Z) 210 MHA (AA) 210 MHA (AB) 210 MHA (AC) 210 MHA (AD) 210 MHA (AE) 210 MHA (AF) 210 MHA (AG) 210 MHA (AH) 210 MHA (AI) 210 MHA (AJ) 210 MHA (AK) 210 MHA (AL) 210 MHA (AM) 210 MHA (AN) 210 MHA (AO) 210 MHA (AP) 210 MHA (AQ) 210 MHA (AR) 210 MHA (AS) 210 MHA (AT) 210 MHA (AU) 210 MHA (AV) 210 MHA (AW) 210 MHA (AX) 210 MHA (AY) 210 MHA (AZ) 210 MHA (BA) 210 MHA (BB) 210 MHA (BC) 210 MHA (BD) 210 MHA (BE) 210 MHA (BF) 210 MHA (BG) 210 MHA (BH) 210 MHA (BI) 210 MHA (BJ) 210 MHA (BK) 210 MHA (BL) 210 MHA (BM) 210 MHA (BN) 210 MHA (BO) 210 MHA (BP) 210 MHA (BQ) 210 MHA (BR) 210 MHA (BS) 210 MHA (BT) 210 MHA (BU) 210 MHA (BV) 210 MHA (BW) 210 MHA (BX) 210 MHA (BY) 210 MHA (BZ) 210 MHA (CA) 210 MHA (CB) 210 MHA 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(ZV) 210 MHA (ZW) 210 MHA (ZX) 210 MHA (ZY) 210 MHA (ZZ)
By 12/5/06.

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No. 12014/8/2006-NCB.II
Government of India
Ministry of Home Affairs

Lok Nayak Bhavan, Khan Market,
New Delhi, dated: May 17, 2006.

OFFICE MEMORANDUM

Sub: Laying of the Report of Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose in Rajya Sabha - Regarding.

The undersigned is directed to forward herewith the following documents in connection with the laying of the Report of the Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose for distribution among the Hon'ble Members of Parliament -

The report of JMCI in three volumes :	250 copies in English
(Vol. I, Vol. IIA and Vol. IIB)	100 copies in Hindi

The receipt of the copies may kindly be acknowledged.

g *Sug 17/5/06*
(S.K. Goswami)
Under Secretary

The Under Secretary (L),
Publication Counter, Room No. 26-A,
Rajya Sabha Secretariat,
New Delhi.

Copy forwarded for information to Parliament Section,
MHA, North Block, New Delhi.

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No. 12014/8/2006-NCB.II
Government of India
Ministry of Home Affairs

Lok Nayak Bhavan, Khan Market,
New Delhi, dated: May 17, 2006.

OFFICE MEMORANDUM

Sub: Laying of the Report of Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose in Lok Sabha – Regarding.

The undersigned is directed to forward herewith the following documents in connection with the laying of the Report of the Justice Mukherjee Commission of Inquiry into the alleged disappearance of Netaji Subhas Chandra Bose for distribution among the Hon'ble Members of Parliament –

The report of JMCI in three volumes :	450 copies in English
(Vol. I, Vol. IIA and Vol. IIB)	250 copies in Hindi

The receipt of the copies may kindly be acknowledged.

2 Aug 17/5/06
(S.K. Goswami)
Under Secretary

The Director,
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Lok Sabha Secretariat,
New Delhi.

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18-5-2006.

~~129~~ 129

Recd. following Copies of Justice Mukherjee
Commission report for distribution of
to the Media

English	VOL I 20	-	VOL I A - VOL I B 20	-	20	-	Pair 18/7/06
Hind	20	-	20	-	20.	-	18/7/06

Mr. Pandey. Kumar

~~130~~
LOK SABHA SECRETARIAT
(Legislative Branch-I)

SUBJECT: Short Duration Discussion under rule 193 on the Report of Justice Mukherjee Commission of Inquiry regarding alleged disappearance of Netaji Subhash Chandra Bose and memorandum of Action Taken by the Government on the Report laid on the Table of the House on 17th May, 2006.

The following discussion on a matter of urgent public importance has been admitted under rule 193 of the Rules of Procedure and Conduct of Business in Lok Sabha:-

Shri Prabodh Panda)
Shri Subrata Bose) to raise a discussion on the Report of Justice Mukherjee Commission of Inquiry regarding alleged disappearance of Netaji Subhash Chandra Bose and memorandum of Action Taken by the Government on the Report laid on the Table of the House on 17th May, 2006.

2. The above discussion is being included in the List of Business for Wednesday, the 26th July, 2006.

3. This may please be placed before the Hon'ble Minister of Home Affairs.

sd/-
(DEEPAK MAHNA)
DIRECTOR
Tels. 23035190
23034939
FAX: 23012862

P.S. to the Minister of Home Affairs
L.S.S.U.O. No. 17/1(9)/2006/L-I

dated 25.7.2006

Copy to:

- (1) P.S. to the Minister of Parliamentary Affairs.
- (2) Ministry of Home Affairs (Shri V.K. Duggal, Secretary).

Deepak Mahna
(DEEPAK MAHNA)
DIRECTOR

— 100 — 131 —

SECRET

No. 12014/9/2005-NCB.II
Government of India
Ministry of Home Affairs
(Security Division)

Dated: February 14, 2006.

OFFICE MEMORANDUM

Sub: Justice Mukherjee Commission of Inquiry – Translation
of the report – Request regarding.

Reference this Division's O.M. of even number dated 19th
January, 2006 on the above subject.

2. The time of three weeks for translating the report of JMCI in Hindi has expired. [You are requested to kindly let us know the present position about the work. You are also requested to kindly let us know the date by which the work will be over. This is required to decide the date on which the report will be placed before the Parliament.

3. This may please be treated as most urgent.

As the JMCI report is to be placed in the Parliament, Hindi translation should be provided immediately.

(S.C. Bardhan)

Officer on Special Duty (Security)

Shri Rajinder Singh,
Director (OL),
Ministry of Home Affairs,
North Block,
New Delhi.